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THE NEW GERMAN CONSTITUTION

A STUDY of the new German Constitution is of greater theoretical than practical interest. The problems before the German people are altogether abnormal; a document that does not reflect the distress of the present emergency seems unreal. Still, in the hour of defeat, the German people took time and thought to prepare new fundamental laws looking to a normal future; and no slight political interest attaches to a project planned and executed under such circumstances.

The Passing of the Federal System

Some time ago a great metropolitan newspaper commented on the fact that, notwithstanding loud professions of German democracy, an unregenerate government and an impenitent people still clung to the word "imperial." To this journal imperial government and an emperor's government were one and inseparable. It is indeed a remarkable fact that the English language has for the German *Reich* no equivalent that is without monarchical association. More than that, it is true that the German term has in the past never been applied to a republican political system. Its retention for the new Germany is therefore in a sense an anomaly. The alternative would have been the invention of a new term to designate the state above the member states. In Canada it is Dominion, in Australia it is Commonwealth, while we have no technical term other than "United States," neither "national" nor "federal" being words used in either constitution or statutes. So *Reich*

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will have to be accepted for a republic, and we shall have to forget that empire formerly meant an emperor. A significant alteration has been made, on the other hand, in the designation of the members of the Empire. They used to be "states," they will in future be *Länder*. The term *Land* has geographical and ethnical rather than political associations, and perhaps the nearest English equivalent is "territory," since the English "land" in the German sense has fallen into practical disuse.

To this change in terminology corresponds a real change in status. In all existing federations the integrity of the members is a cornerstone of the structure, dismemberment or consolidation being impossible without consent. With us, an act of Congress can admit a new state, but not even a constitutional amendment can deprive a state of its equal representation in the Senate; and this implies that the state itself is secure from impairment. The new German Constitution permits territorial regrouping, not merely by constitutional amendment, but, if there is a preponderant national interest and one of the territories concerned consents by popular vote, by a simple act of legislation (article 18).

Geographical and historical conditions explain this unique provision. Professor Preuss, the drafter of the Constitution, in the memorandum accompanying the draft said: "If in the future Prussian supremacy is impossible, then Prussia will be impossible." We have disparities between our own states but nothing like the preponderance of Prussia in Germany. In the original formation of the Empire this preponderance was frankly recognized by attaching the imperial office and dignity to the Prussian crown and by giving Prussia an absolute veto on military, naval and important revenue legislation and on constitutional amendments. Prussian supremacy was to some extent offset by reservations in favor of Bavaria. Bavaria's privileges have now disappeared, but Prussia's anomalous status persists, for it was not created by privilege but by abnormal inequality of power. No matter whether we consider German geography or German history—and the former reflects the latter—a territorial regrouping of the Empire seems desirable. The present divisions are dynastic in origin and

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in political cohesion; with the disappearance of the dynasties many of them have become ludicrous. The remarkable ethnical and temperamental diversity of the German people does not coincide with the historical state boundaries. It is much more truly expressed in provincial and other subordinate administrative divisions; and many of these, particularly if consolidated with other similar districts, have ample capacity for territorial autonomy.

Article 61 originally contained a clause providing a place for Austria in the Imperial Council (*Reichsrat*). Upon the protest of the Entente, this provision had to be repealed, as inconsistent with the Treaty of Versailles; the general provision (178) that the Treaty was not to be affected by the Constitution was considered inadequate. Certainly the reference to Austria was as superfluous as it was ill-advised. There is in the German Constitution no clause corresponding to ours, declaring treaties the law of the land. But there is a declaration (4) that the rules of international law are binding parts of the imperial law—juristically a somewhat ambiguous proposition, since it does not tell us whether an imperial statute yields to international law. The Constitution says that treaties may alter boundaries only with the consent of the territory concerned (78). Did Prussia consent to the Treaty of Versailles? If not, would it have made any difference? Clearly the Constitution here yields to international law, not on account of the clause concerning international law nor on account of the reservation of article 178, but from necessity. The provision is to operate in normal conditions of peace, and under such conditions it is clear that a statute must have greater force than a rule of international law.

The special federal organ of the old Empire was the Federal Council (*Bundesrat*), which now appears as the Imperial Council (*Reichsrat*). It is changed both in composition and in power. The possible parcellation of Prussia is foreshadowed by the recognition of the Prussian provinces; one-half of the Prussian members are to be named by the provincial administrations (63). Prussia's total membership is to be restricted to two-fifths (61); each territory is to have at least one member;

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otherwise the ratio of membership to population is to be one to a million (61). In size the body will differ little from the old Council, and, as in the latter, its members will be appointed by the several governments, not elected by popular vote. Like the members of the old Council, those of the new will as such be without individual political standing; very likely they will continue to be high officials and experts in administration. So long as imperial laws are administered through the territories, the Empire will need an organ of communication and coordination, and the Council will serve that purpose; all regulations for the territorial administration of imperial laws will be framed by this body (77), which in this respect will continue the functions of the old Council. Since most of this work will really be done in committee, it is interesting to note that in committee each territory has only one vote (62).

In the old Council the non-political character of the membership did not detract from the political importance of the body, which was fully coordinate with the Imperial Diet (*Reichstag*). The new Council will have less power. It has an initiative in legislation but must use the mediation of the Government, and the latter may introduce measures notwithstanding the non-consent of the Council (69). It is therefore to be expected that the practical monopoly of initiation, hitherto possessed by the Council, will pass to the Government, *i. e.*, to the ministers.

Above all, the new Council loses the absolute veto on legislation which the old Council possessed. This matter is somewhat complicated. Suppose the Council non-concurs in an act passed by the Diet; the latter may yield or may renew its action, either by a simple majority or by a two-thirds vote. If by a two-thirds vote, the president must order a referendum (74); but since upon a referendum a majority of all the electors must take part in the vote (75), the chances are against a reversal of the Diet. If the renewed vote of the Diet is by a simple majority, the referendum is optional with the president, and while upon a referendum it is not likely that the Diet would be overruled, yet the failure of the president to order a referendum will mean that the Council's negative will stand,

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and the Diet loses. The diminished importance of the Council reflects the diminished importance of the territories in the distribution of powers.

When the North German Confederation—the precursor of the Empire—was founded in 1867, it was admittedly modeled to some extent upon the Constitution of the United States, then as now the most conspicuous example of a successful federal system. But eighty years had passed since the American Constitution had been framed, and in the meantime nationalism had come to compete strongly with federalism. The consolidation of our own nation has proved our allotment of federal powers to be increasingly inadequate; and had it not been aided by liberal judicial construction, our situation would be unbearable. The German allotment was from the beginning more liberal, and a simple process of constitutional amendment has facilitated further enlargements. Thus from 1873 on the federal legislature, in addition to the matters controlled by our Congress, has come to possess power to legislate concerning civil and criminal law and procedure, trade and industry, railroads, banking and insurance, health, press and association; and great plans of codification, industrial legislation and social insurance had been carried into effect by the end of the nineteenth century. The new Constitution not merely adds such specific subjects as mining, navigation and fisheries, poor support and juvenile protection, motor traffic, theatres and moving pictures, but in a general way makes subject to the Empire practically the entire field of economic control and, in case of need, whatever belongs to public welfare, order and security.

In the matter of freedom of commerce the new German Constitution has taken a leaf out of our own experience. It provides expressly (82, paragraph 6) that all natural and industrial products which are articles of national commerce may be freely carried into, out of and across the boundaries of territories, subject to exceptions to be made by imperial law. This epitomizes the relation of freedom of commerce with reference to intoxicating liquors as worked out by our Supreme Court in conjunction with congressional legislation.

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With regard to railroads it is laid down as a policy that trunk lines are to be acquired by the Empire (89), and there is a similar provision with regard to waterways (97).

Considering that the imperial powers are made exclusive to only a very limited extent (foreign affairs, nationality, migration, extradition, defense, coinage, tariff and transit, post, telegraph and telephone), we may speak of practically concurrent powers of legislation, and the interest shifts from the distribution of powers to the relation between the Empire and the territories in their exercise. Of fundamental importance is the principle of imperial or national supremacy, common to all federal systems (13). There is in Germany another method of adjustment, not familiar to our own Constitution, which consists in giving to the Empire the power to lay down guiding principles and leaving the details of legislation to the territories. This is applied to religion, education, the law of public officers, the land law (settlements, homesteads, housing), distribution of population and territorial revenue legislation, and is to be put in operation so far as it may be necessary to safeguard national revenue and trade and important social interests and to prevent double taxation (10, 11). A judicial method is provided for determining the validity of territorial laws where a conflict with imperial laws is asserted (13). Under such a control the method of guiding principles may prove far more satisfactory than hard-and-fast delimitations of power.

In one particular instance, the communalization of industries, the Empire has a veto on territorial legislation, analogous to our congressional veto with regard to state inspection laws. It must be assumed, though it is not expressly stated, that the protest *ipso facto* annuls the territorial law (12).

The new Constitution continues in principle the system by which imperial law is administered by territorial authorities (14). This is perhaps the most striking difference between the German federal system and ours, in which there exists a separate federal organization for the administration of practically all federal legislation. The German system presupposes considerable homogeneity of local administrative standards and

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a high degree of confidence in the same on the part of the national government—conditions which are not fulfilled in this country. But it presupposes in addition some kind of national control, which we should expect to find exercised by the courts, but which in Germany in the past was entirely administrative or rather political, handled through the semi-diplomatic channels of the chancellor's office and the Council, of which the public knew nothing. Such a method of control was entirely conformable to a highly developed bureaucratic system; it remains to be seen whether it can be worked with equal success in the pitiless publicity of democratic institutions. It is characteristic that the national government, in addition to the existing power of administrative regulation, may delegate commissioners of its own to supervise territorial authorities. This, however, is to be done only with the consent of the territorial government, if the power of supervision is to be exercised directly over subordinate officials (15). In any event, differences of opinion between national and territorial authorities are to be settled judicially. If the Empire itself assumes the local administration of its laws, its officials are, as a rule, to be local residents. This corresponds to the invariable American practice.

On the whole, the sphere of what we used to call states' rights is extremely circumscribed. The independence of the territories will be confined practically to the determination of their own governmental organization. The only restrictions in this field are those requiring republican constitutions and parliamentary government and those determining the conditions of suffrage. Germany will be far less federal in its organization than the United States. This development cannot be a matter of indifference to us. We may look with considerable detachment upon the evolution of readjustment of territorial divisions; that matter is not yet felt to be a problem in the United States; there is no active political feeling about the disparity of Rhode Island and Texas or New York and Nevada, even though it may produce peculiar results in our foreign relations. But the distribution of powers is a different matter. We live under an antiquated and intolerable system

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of apportionment, and if we have to contemplate a change, we may as well make up our minds that progress toward the unitary state is not an accident but a logical development, once national unity has been attained. The system of concurrence of powers subject to national supremacy is the one to which the future belongs. States will have to be content with what cities enjoy under constitutional home rule.

The Organization of Political Power

All political organization represents a compromise between the products of two antagonistic tendencies: the struggle for power and the desire for law and justice. It is the former that holds the leading place in public interest. Ostensibly sought to obtain justice, power becomes its own end and strives to identify itself with law. The generally accepted characteristics of different systems of government are differences in the location of political power. The instability of power may transform what was once substance into form, and it may prove expedient for new power to content itself with partly unexpressed conventions and understandings. It is in the double dualism of formal and real power and of power and law that we must seek the clue to the interpretation of political institutions.

England is the classical land of contrast between the substance and the form of power: the crown the formal repository of sovereignty and the king without the right to express an independent opinion; parliament in theory omnipotent and in fact without any legislative power over the self-governing dominions. The German monarchy was a reality and, but for the rising tide of democracy, neither in theory nor in fact a bad instrument of government. However, what counts in politics is opinion, and the German monarchy fell. The first article of the Constitution reads: "The German Empire is a Republic. The power of the state is derived from the people."

A republic may have a presidential or a parliamentary government, a government of the American or of the French type. The former has a strong executive, independent in his sphere of the legislature; the latter is characterized by executive powers exercised under responsibility to the legislature. Parliamentary government is supposed to make a monarchy con-

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sistent with liberal institutions, provided that it reduces the power of the nominal executive to a shadow. If a name had to be found for this type of monarchy, mannikinism would perhaps be the most accurate term.

Responsibility to a parliament is a political matter, operating irrespective of legal sanctions. In the original draft of the former German Constitution the chancellorship was conceived as a purely secretarial office, intended to be filled by a high-grade bureaucrat; but when, in the course of the deliberations in the Constituent Assembly, it was successfully moved to add to the provision requiring executive acts to be countersigned by the chancellor, the words: "who thereby assumes the responsibility," Bismarck recognized at once that he would have to assume the chancellorship. The responsibility was never further defined and did not come to affect the tenure of office; but German chancellors have always understood it as entailing the duty of explaining and defending their policies before the Imperial Diet (*Reichstag*). In the parliamentary countries of Europe, responsibility means inability to hold political office without the confidence of the popular house of the legislature; but this is not legally formulated; and in France a parliamentary motion presuming to instruct the president with reference to the personnel of ministers has been ruled to be out of order. Under these circumstances it is noteworthy that the new German Constitution puts the understood consequence of the parliamentary system in explicit terms. It says: the chancellor and the ministers require for the conduct of office the confidence of the Diet. Any one of them must retire, if the Diet by express resolution withdraws its confidence from him (54).

The cabinet, not the president, is thus placed under parliamentary responsibility. What is called the "Government," consists of the chancellor and the ministers. It is upon the chancellor's recommendation that ministers are appointed and removed (53); it is the chancellor who determines the general policy of the government, although each minister is individually responsible for his department (56). No act of the president is valid without the chancellor's or a minister's countersignature (50). Under these circumstances the president is

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the chief of the state but not the head of the government. Though elected by the people and not, as in France, by the legislature, he is apparently to remain aloof from politics. The value of his office will consist in the guaranties of continuity and regularity which it will give to the routine of legislation and administration; and from time to time he may exercise a real deciding influence in selecting or removing the chancellor. It is difficult to see why he should not have been permitted, on his own responsibility, at least to appeal from the ministers and the representatives to the ultimate source of authority, the people—why, in other words, countersignature should not have been dispensed with in dissolving the Diet or ordering a referendum. A political power purely arbitral in character would not be inconsistent with the guardianship of the Constitution, and it would make the presidency a more democratic institution.

It is, on the other hand, quite in accordance with democratic ideas that the acts of the president as commander-in-chief require a responsible countersignature (50) and that only an act of legislation can make war and peace (45). Treaties need the consent of the Diet only if they relate to subjects of legislation; in other words, they become effective without such consent if they are of a political character. If of the latter nature, they are made by the president, who represents the Empire internationally (45). The Constitution is not explicit as to whether the "orders and dispositions" of the president which require countersignature include his international acts. There can, however, be no doubt that such acts are included; and, as a matter of fact, the ratification of the Treaty of Versailles was countersigned.

The makers of the Constitution must have believed that, notwithstanding all the checks upon the president's action, he might make himself politically obnoxious; for while he is given a long term (seven years) without limit of reëligibility, he is subject to popular recall on the initiative of the Diet (43). The recall here is in reality more like a referendum. The Diet resolution suspends him. The failure of the recall counts as a new election and automatically dissolves the Diet.

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The chapter on the Diet calls for relatively little comment. This body is subject to dissolution (25) but otherwise has the usual guaranties of corporate and individual member's independence. It convenes annually and also upon the demand of one-third of its members (24). The provision (39), taken from the old Constitution, that civil and military officers require no furlough to sit in the Diet, shows that there is no incompatibility, such as we have in our Constitution, between the office of representative and other government service. It is only the president who may not be a member; and this means that ministers may be members. In any case, the ministers have the right to attend sessions and to be heard, and it is their duty to appear when the Diet requires it (33).

The Diet has the power of impeaching the president, the chancellor and the ministers (59). The provision is strangely inadequate, since it fails to state what the effect of a conviction shall be. This is apparently to be regulated by statute. The impeached officer is to be tried before the state tribunal, not before a political assembly. Of greater practical interest is the power of the Diet to appoint committees of inquiry with full examining powers (34); it is such a committee that has recently been inquiring into the matter of responsibility for the war. There is to be, moreover, a standing committee on foreign affairs and one to guard the rights of the people's representatives against the Government (135). These committees are permanent; they are not affected even by dissolution; they are legislative committees with the status of statutory commissions. They have no parallel in France, Great Britain or the United States. This must be considered a valuable addition to a parliamentary constitution.

On the whole, the parliamentary system outlined by the Constitution offers little that is strikingly new. It is contemplated that the Diet shall have political control without meddling with the details of administration; a motion made in the Constituent Convention to give the Diet the power to issue binding directions to the Government was rejected in the Constituent Assembly. Even the initiative in legislation will probably remain with the Government. In other words, the

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system will continue to be European and will not be Americanized. Indeed, a legislature like our Congress, with a politically dependent executive, would not be a pleasant thing to contemplate.

There is a step toward the political organization of industry in the creation of employers' and employees' councils, culminating in a joint imperial economic council (165). This council is to give its opinion on projected economic measures and may demand that the Government introduce bills recommended by it, on which its representatives may be heard in the Diet. These functions are modest; but had this council been vested with actual political power, the tendency toward its transformation from an economic into a political body would probably have been irresistible.

For democratic features of the Constitution we look to the people's share in the government. Bismarck had accepted the principle of universal suffrage as then understood; the voting age is now reduced from twenty-five to twenty. It had been an axiom of the old régime that the participation of women in public affairs was un-German; women are now given equality with men. Sex equality may be accepted as a principle of democracy, but the reduction of the voting age is likely to lower the quality of the electorate. The principle of proportional representation is established but without indicating the manner of its application; there is no guaranty of fair apportionment, except in so far as it may be implicit in the proportional method. The secrecy of the vote is guarantied. So much for the basis of representation (22).

The Constitution also admits the principle of direct popular action in legislation. Initiative and referendum appear under newly coined German terms (73–76). The German referendum, unlike our own, is to settle conflicts between the organs of legislation. The president can always order it. If the Imperial Council fails to concur with the Diet and the Diet renews its vote, the president may and, if the renewed vote is a two-thirds vote, must submit the Diet's proposal to the people, with the result that it stands unless overruled. The president must also order the referendum in case of a constitutional

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amendment, if the Council disagrees with the Diet. A popular petition may require a referendum on any law except budget, revenue and salary laws. The petition must be signed by ten per cent of the voters or (under conditions showing that a substantial minority of the Diet desires it) by five per cent. Ten per cent of the voters are required for a popular petition presenting a drafted bill. Such a bill first goes to the Diet, and it becomes law without submission to popular vote if the Diet accepts it without amendment. A popular vote is to overrule a Diet vote only if a majority of all voters take part in the balloting, which means that more than one-fourth of all the voters must vote against the Diet. In view of the demonstrated indifference of voters toward submitted measures, this is a very stringent requirement, which will greatly reduce the practical operation of the popular vote; and this must have been its purpose. All details of initiative and referendum procedure are left to legislation. With us an opposite tendency prevails; witness the elaborate provisions recently incorporated in the constitution of Massachusetts.

Initiative and referendum are not guarantied to the member territories; but the initiative is recognized in bringing about a plebiscite for territorial separations; this, however, requires a petition of one-third of all the voters.

To the member territories are guarantied republican constitutions, universal, equal and secret suffrage, proportional representation in the legislative bodies and parliamentary governments (17). The same principles apply to communal or municipal elections, and local self-government is enumerated among the fundamental political rights (127).

The people without distinction of birth or sex are granted the essential political rights: free and secret elections (125), freedom of assembly and association (123, 124) and equal eligibility to office (128). There are to be no class privileges (109). Somewhat obscurely it is said that titles of nobility are to be recognized only as parts of names; in any event there will be no new patents of nobility (109). Even titles and decorations are to disappear; who can imagine German society without titles? A concession is made in favor of those

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designating professional education and academic rank. The leveling of German society in these formal respects would mean a long step toward genuine democratization. More substantial is the right to free education, which is granted in full measure (145). There are other things important to democracy with which a constitution cannot deal effectively, for example, a system of revenue which will place the burden of taxation upon the well-to-do classes. The only provision bearing upon this matter is an article establishing the principle of taxation in proportion to means (134). In the hands of a conservative court, exercising judicial power upon the American model, this might become a very anti-social provision, since it might be held to exclude the principle of rising progression in tax rates.

Taking it altogether, the Constitution is much fuller concerning the machinery of political power than concerning the substantial fruits of democracy. This is in accordance with the general experience that what people prize is the possession of political power, while with regard to policies and measures they exhibit a relative indifference and often a lack of intelligence. A survey of elaborate arrangements to secure or adjust the balance of political power leaves the student of politics in a somewhat skeptical frame of mind. He realizes that there are many things that happen on the way from the primary to the effective expression of political authority. He knows that in a case involving political issues the irresponsible power of a jury to acquit may count for as much in the struggle for democracy as an extension of suffrage. He will therefore note that the German Constitution proposes nothing radical in the organization of administration. Indeed, one pillar of the old regime, the official bureaucracy, is left untouched. It has been said that, without the loyal aid of the tried and faithful administrative organization, the transition from the old order to the new would have been almost impossible. Preuss, the author of the Constitution, has commented on the remarkable extent to which the Social Democratic party organization is modeled on Prussian officialdom; next to the Prussian army, he said, nothing more Prussian exists in Prussia than the Prussian Social

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Democracy. That is praise and reproach in equal parts. German administration was efficient and economical; its honesty compared favorably with that of any other country. It would have been rash to sacrifice such an asset, and what formula would have been available for the change? The principle of life tenure of office remains, and there are legal guaranties against the abuse of disciplinary power, which are calculated to make the guaranty of the political freedom and the right of association of public officials a reality (129, 130). If Germany succeeds in harmonizing a high-grade civil service with a genuine democracy in public life, she will have a great achievement to her credit.

The higher branches of the service of the state were in Germany, as formerly in England, a monopoly of a class. On the other hand, as in England, that class looked upon the service of the state as a traditional duty. Entails were justified under the old regime on the ground that the state could not dispense with economic and social institutions making for a combination of wealth and public service. That idea is now discarded; entails are to be abrogated (155). It remains to be seen whether, divorced from its old accessories, the mere concept of public office as a profession will impart to the German government that element of conservatism and stability which is otherwise totally unprovided for.

The organization of justice and liberty.

The great achievement of the political state is its guardianship of law and justice. We take it as a matter of course that civil controversies should be withdrawn from governmental influence; but what oriental systems never conceived, and what the western nations have elaborated only slowly and perhaps not quite perfectly, is the idea of "government by law." In its rudiments at least this idea has become the common possession of the states which we regard as fully civilized. It means that government consents to guide its own action by the rule of law, with the result that public power is exercised in subjection to sometimes very inconvenient guaranties of adverse interests. No subordinate organization has accepted

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these guaranties to an equal degree. In the organization of the church there is no clear separation of executive, judicial and legislative powers. Universities are supposed to represent the highest enlightenment of the community, yet their governing bodies have been known to deal with cases of discipline by methods and through channels which the law of every civilized state repudiates. There is in the political state such a thing as arbitrary governmental power; but at least we know its sphere, and the door to the courts is rarely altogether closed.

What are these guaranties of adverse interests? We find them partly in methods of organization, partly in formulated rights and corresponding limitations and liabilities. We find them also in the independence of the judiciary, in the subordination of administration to legislation and in a system of legislation recognizing private rights and liberties as essential elements of public policy.

Germany in these respects stood well on a par with other European countries; in fact, some of her standards have not as yet been everywhere attained. There are not many well informed persons nowadays who are sure that democratization of institutions means superior justice; on the contrary. The extreme radicals in the German Constituent Convention proposed an article which would have given the Diet supervisory powers over the administration of justice; this was defeated. Democracy of that type would mean the end of government by law.

The article on justice is the briefest in the Constitution (102–108). The conditions of judicial independence (tenure and emoluments) are expressly assured, but the system of courts is fixed only in its barest outlines. In contrast to our organization, state (territorial) courts are entrusted with the application of national law, with one supreme imperial court for review; in this respect the old system will be simply continued. In accordance with the general continental practice there will be separate administrative courts for public-law controversies, and the system will be carried over from the territorial into the imperial administration. German administrative courts have had the same independence and have enjoyed the

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same confidence as the regular courts, and they furnish remedies against administrative action more comprehensive and effective than are provided by our own somewhat archaic administrative law.

Military jurisdiction is to be abrogated except in time of war and on board of warships (105, 106). Under the old regime grave shortcomings, if not abuses, had been charged against that system. As in other countries (it is sufficient to remember the Dreyfus trial and recent agitation in this country) the supposed exigencies of discipline militated against the fullest recognition of the protection given to the accused by ordinary criminal procedure. The practical importance of this particular reform is somewhat diminished in consequence of the forced reduction of the German military establishment, but it retains a symptomatic significance.

Special courts for exceptional cases (of the type, for instance, of the Parnell Commission) are forbidden, but the Constitution provides for a tribunal of state, which, until its definite organization by law, is to be composed of four members of the Diet elected by the Diet and three members of the Imperial Court elected by that court (172). If this provisional arrangement foreshadows the ultimate composition of the tribunal, it will be predominantly political in character, and trials of impeachments, which fall within its jurisdiction (59), may be expected to be affected by this character. Election disputes do not go before the tribunal of state but before a similarly constituted tribunal, consisting of three members of the Diet and two judges (31). Upon the all-important question whether the three Diet members are to be taken from different parties, the Constitution is silent. The tribunal of state will also adjudicate constitutional controversies within a territory and between territories and the Empire (19). Since controversies concerning the respective provinces of legislative power go before the regular courts (13), this provision must refer to controversies of a political character, and it remains to be seen whether a tribunal of this sort will render impartial decisions. There is no provision, such as is found in the law of Switzerland, giving a judicial or quasi-judicial body jurisdiction over alleged violations of individual constitutional rights.

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In estimating the prospects of a conduct of administration in conformity to law, the organization of the administrative service should be considered equally with that of the courts. The Prussian civil service had won a high reputation for loyalty to law. There had been a time when administrative power was exercised with a view to political effect, but the reforms of the second half of the nineteenth century had tended to eliminate administrative discretion at least from the ordinary spheres of social and economic interests; and while room was left for the exercise of arbitrary power in conspicuously political matters, the Prussian administration was at least independent of the political claims and demands of its supporters in the legislature. Under parliamentary government this latter advantage will be lost, but the life tenure of office will continue to be a guaranty of independence (129). The civil service will be without the steadying influence of a permanent chief executive, but the Constitution does what it can to remove the popularly elected head of the state from partisan politics, and the functioning of the president as the guardian of legality in administration will be the one thing that will raise his office above ceremonial significance.

The professional influence of a permanent civil service will also be felt in legislation, so long as the legislative initiative shall remain practically a government monopoly. Under the parliamentary system legislation will of course tend to become more political; but for a long time to come the high standards of German legislation in technical correctness and substantial equity will continue to operate through the mere force of tradition. Moreover, the example of England and of France justifies the hope that the parliamentary system will not prove fatal to that sound legislative conservatism which gives to principles embodied in organic statutes equal or greater stability than appears to be afforded by our constitutional provisions. Against one source of abuse the Constitution provides specifically: appropriation acts may not contain permanent legislation or any measures that do not relate to revenue or expenditure (85). If prohibition comes, it will not be in the form of a rider to an agricultural appropriation act!

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The German Constitution contains no due-process clause, and in the absence of a general judicial power to determine the validity of legislation, such a clause would be of little value. The equality of all Germans before the law is on the other hand explicitly proclaimed (109), and a practical application of this principle was made when the Constituent Convention refused to establish special disabilities for the members of formerly sovereign families. The enumeration of specific rights by the Constitution invites comparison with our bills of rights. A number of our procedural safeguards are absent, notably the right to trial by jury. Some rights, on the other hand, are more fully enunciated than with us, and some are stated which our constitutions do not mention. The right of personal liberty, the inviolability of the domicile, the secrecy of letters and of telegraphic communications, freedom of speech and of the press, of assembly and of association, and the protection of property rights may be suspended in whole or in part by the president, if order and safety are seriously impaired or jeoparded (48). As a parallel, we have only the right to suspend the writ of *habeas corpus* and the non-applicability of jury trial when martial law prevails. In other words, our guaranties of political and personal liberty run in time of war as well as in time of peace—nominally, at least. Let any one judge whether they are strictly observed in times of war or even in other extraordinary emergencies. It may be that normal rights have to yield under the stress of public danger; if so, it is better that this be recognized and as far as possible limited than that constitutional provisions should be disregarded or martial law proclaimed when there is no state of insurrection. The safeguards provided in the German Constitution against abuse of the power of suspension are that the president must notify the Diet immediately, and that his suspension measures must be set aside if the Diet demands it. This matter is subject to further regulation by law. The power to suspend is in accordance with the former law; the safeguards against its abuse are new.

One guaranty of justice and liberty is entirely novel. Article 113 reads: The nationals of the Empire of foreign speech may not be hindered by legislation or administration in their free

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ethnic development, or in the use of their own language in education, administration or justice. While the separation of the principal non-German-speaking districts from the Empire reduces the practical application of this guaranty, it is in marked contrast to former Prussian policy. The Treaty of Peace imposes similar guaranties upon the new Slavic states. Some time in the future a real League of Nations may make the guaranty universal.

There is another striking provision (146) in favor of the right of sections of the population professing the same religious faith to ask for the establishment of denominational public schools, provided this can be done without impairing the provision for regular schools. This requires complex arrangements and is to be further regulated by law. The principle is in contrast to our own refusal of any public support of denominational institutions. In Germany religious societies will continue to be public corporations with taxing powers. The state will not be affiliated with any one church, and there will be religious equality; but there will not be a separation of church and state in the American sense or in the sense of the recent French legislation, which France has never applied to her Mohammedan colonies and may find difficulty in applying to Alsace-Lorraine.

Article 131 provides: If an official in the exercise of his delegated public authority violates his official duty toward a third party, the state or public corporation in whose service he was acting shall in principle be responsible. There may be a recourse by the state against the official. There must be a remedy in the regular courts. The matter shall be further regulated by law. The principle of Anglo-American jurisprudence in such cases is public irresponsibility. The Supreme Court of the United States has said:

> The general principle which we have already stated as applicable to all governments, forbids, on a policy imposed by necessity, that they should hold themselves liable for unauthorized wrongs inflicted by their officers on the citizens, though occurring while engaged in the discharge of official duties.[1]

[1] Gibbons *v.* U. S., 8 Wallace, 269.

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Many of our states, as well as the federal government, now permit themselves to be sued; but all decline to accept the tort responsibility which they impose on private corporations. The more advanced continental European principle was introduced in Prussia in 1909 and was accepted by the Empire in 1910. The new Constitution makes it applicable to Empire, territories and municipalities alike.

Principles and Sanctions

A written constitution is a political document promulgated in the form of a law. An American, looking at one of our recent state constitutions drawn up, like a deed, with a view to strict and technical interpretation, would perhaps prefer to call it a political document intended to be enforced by a court. But in European countries a constitution is still addressed primarily to the legislature and the "Government," political organs which act politically and do not have to reckon with a possible pedantry of judicial scrutiny.

It is well known that in this country the judicial control over legislation is a matter of implication, not of express provision. In Germany, where the Constitution is likewise silent upon the question of the power to declare laws unconstitutional, the implication must be the other way. The judges are made subject to "the law" only (102); it would have been easy to add "and to the Constitution." Administrative courts are to be organized for the protection of individuals against administrative acts, a term which does not include acts of legislation. The existing courts are vested with the "ordinary jurisdiction," which in Germany has always been exercised upon the principle that the legislative interpretation of the Constitution is conclusive. The only exception to this rule was where a state law was questioned as being in conflict with a national law; and specific provision is now made for the adjudication of such an alleged conflict by a direct proceeding (13). So far as it is possible to judge from the explicit provisions of the Constitution, it is modeled upon the European, not upon the American type; that is to say, it is adjusted to political and not to judicial sanctions.

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This does not mean that constitutional clauses will necessarily be less binding than they are with us. The manner of formulation may count for more than the absence of judicial control. A general constitutional proclamation of freedom of speech and of the press, without further definition, guaranties as much or as little as may be read into the phrase, and under such a provision legislative power and judicial power are equally undefined. A specific prohibition of censorship is likely to prove a more efficient guaranty, even though this guaranty rest exclusively upon the sense of obligation of the legislative organs, and this particular prohibition is found in the German Constitution (118). Freedom of assembly was supposed to have been established in France when legislation was enacted substituting for the previous requirement of a license the simple duty of notifying the public authorities. The German Constitution establishes the right to assemble, elsewhere than in open public places, without any duty of notification (123). It is practically out of the question that a right so clearly and so explicitly accorded should be violated by a statute. There are a number of such specific provisions for the protection of political rights: a prohibition against denying legal capacity to any association by reason of its pursuing political purposes (124), a guaranty of the right of association of public officials (130) and a prohibition against sex discrimination in the matter of public office (128). These provisions have no parallel in American constitutions.

But these specific and absolute guaranties are after all quite exceptional. Much more commonly, to an extent unfamiliar and perhaps incomprehensible to us, the Constitution is content to leave its provisions subject to legislative definition and to exceptions to be determined by law. Freedom of speech and of the press is given "within the limits of general laws" (118), and the specific prohibition of censorship, contained in this article, is expressly subjected to legislative exceptions in the case of films, in that of pornographic writings and—for the protection of youth—in that of public exhibitions and performances. The right to associate must not be exercised in contravention of penal laws (124). Freedom of election and

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secrecy of the ballot are to be defined by law (126), and the right to hold office, without discrimination and on the basis of capacity and merit, is "subject to law" (128). Exceptions or limitations "by law," *i. e.*, by legislation, are recognized in connection also with the following guaranties and provisions: the right to settle and acquire property anywhere within the Empire (111), the right to emigrate (112), the liberty of the person (114), the inviolability of the domicile (115), the secrecy of communications by mail, telegraph and telephone (117) and the life tenure of office (129). Even the right to receive compensation where property is taken for public purposes is guarantied only so far as the law does not otherwise provide (153).

Equally subject to modification by legislation must be those provisions which affirm right only "in principle"; *e. g.*, "in principle men and women have the same civil rights and duties" (109); "in principle" compulsory school attendance is satisfied by eight years of public school and by continuation school training to the completed eighteenth year (145). A similar qualifying term is unknown to American constitutions.

The form of provision which, instead of being self-executing, is dependent for its operation on legislative action, is one with which we are not unfamiliar, but which has fallen into disrepute in this country. Lawyers designate such a provision as "directory," in contrast to the "mandatory" form. Among the directory provisions of the German Constitution one is surprised to find the following: "Privileges or disabilities attaching to birth or class . . . are to be abolished" (109). Why not: *are* abolished? One is tempted to regard this as a slip. In the clause: "Private preliminary schools are to be abolished" (147), however, the directory form is undoubtedly deliberate, for such abolition would seem to require time and thought and provision for compensation. We apparently have here a program rather than a promise, and the legal value of the provision is correspondingly reduced. It may, however, be adequate to prevent the organization of new schools.

There are other clauses in which the Constitution divests itself entirely of any legal character and becomes frankly a

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political document. The Empire, in resorting to sources of revenue hitherto reserved to the territories, shall consider the preservation of territorial vitality (8). Territorial governments are required to remove defects which appear in their administration of national laws (15). The territories must have republican constitutions (our federal Constitution has a similar clause which the Supreme Court interprets as a political provision beyond its jurisdiction), and they must have legislatures elected on the basis of proportional representation (17). The division of the Empire into territories is to be guided by the purpose of enabling the people to attain the best results in wealth and culture (18). In military organization regard is to be had to peculiar regional characteristics of the people (79). In the administration of internal revenue the special interests of the different portions of the Empire are to be considered (83). How can a court possibly deal with these and similar requirements?

There are many articles that read as if they were part of a political or social catechism. These were perhaps inserted with an eye to the provision of article 148, according to which every pupil, upon finishing his school curriculum, is to receive a copy of the Constitution, just as our old apprenticeship laws require the master to give to the apprentice a Bible at the end of his term. Especially characteristic, in this respect, are the chapters on community life, education and economic interests. Sometimes one cannot help feeling that the Constitution lapses into banality. "Marriage as the foundation of the family and of the conservation and increase of the nation is placed under the special protection of the Constitution" (119). "The education of youth to physical, moral and social efficiency is the supreme duty and the natural right of the parents, whose activities are supervised by the state" (120). "Labor stands under the special protection of the Empire" (157). "Intellectual work, the rights of the author, inventor and artist, enjoy the protection and care of the Empire" (158). "Every German, without prejudice to his personal liberty, has the moral duty to use his mental and physical faculties for the common welfare" (163). Why say these things that go without say-

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ing? Not that every platitude should necessarily be ruled out, but the platitudinous form is to be shunned. Telling phrases have their place and their value, a value that does not depend upon their absolute truth. "Liberty, equality, fraternity," "All men are created equal"—these are political assets.

It is surprising that Bismarck, who often spoke of imponderable political factors and whose principle was to be liberal where it was merely a question of words, should have given to Germany the driest and most business-like of constitutions, in which nothing appealed to the imagination, except the office and title of emperor. Professor Preuss, the draftsman of the present Constitution, published early in the war a book entitled *German Politics*, in which he developed the thesis that the universal antagonism toward Germany was due to the non-participation of the Germans in the popular and liberal concept of state and government which had become a common possession of other western nations. Professor Delbrück, the well known publicist, in a review of Preuss's book, protested against this contention, insisting that civil rights and liberties were as well safeguarded by German law as by any other system, if not better. A careful study of German public law goes far to support Delbrück's assertion, but political opinion does not rest on careful study. As the world goes, nations like individuals are judged less by what they do than by what they say. The reiterated expression of high ideals forms a political capital that is not to be despised. Our own insistent proclamation of liberty as the foremost principle of government has, notwithstanding many defects in administration, served as a magnet to draw and amalgamate all sorts of alien peoples, and at the present time makes distressed and distracted nations look to us for salvation with a confidence which is almost embarrassing.

How far happily chosen and pregnant phrases will go in captivating the popular imagination, is a question of national temperament. Teutonic people are not like the Latin nations in this respect; and the German Constitution certainly does not evince any particular genius in coining catchwords for popular consumption.

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These observations do not apply to those clauses which, while of no direct legal effect, express a definite attitude toward novel or controverted ideas. If the phrase regarding the protection of the family is trivial, the addition that it shall be based on sex equality is not. The Constitution declares that a family with numerous children has a claim to compensating provision (119); that illegitimate children are to have the same opportunities for physical, mental and moral development as legitimate children (121); that the admission to higher education is to rest on talent and not on social position and that financial provision shall be made for this purpose (146); that private schools shall not be organized with a view to class separation (147); that education shall respect differences of opinion and aim at international conciliation (148); that historic, artistic and natural monuments are placed under state protection, and the state shall guard against the removal of art treasures from Germany (150). Such declarations of policy have an intrinsic value.

In view of the predominance of the socialist party, the attitude taken toward economic problems is significant. The Constitution recognizes the economic liberty of the individual (151). It guaranties the institution of property, declaring that it carries with it the obligation of public service (153); it even guaranties the right of inheritance, state participation to be determined by law (154). It recognizes the power of eminent domain in favor of settlement, cultivation and housing (155), and it claims a community interest, as regards land values, in the unearned increment (155). It establishes the right of the state to communalize economic functions, upon appropriate compensation, and to require cooperation not only on the part of capital but also between capital and labor (156). It secures the right of collective bargaining (159); it proclaims the principle of social insurance (159) and the right to employment (163); the independence of the small concern is to be protected (164). There is also a guarded and somewhat vague clause in favor of the right of workmen and employees to share in the economic development of productive forces (165). In comparing this with the other declarations one

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feels that it is easier to lay down a policy which has not yet reached the stage of controversial detail at which the labor problem has arrived.

In the field of social legislation the program of the Constitution is as general as it is vast; no one will care to predict how it will work out. Nor is it stated here as a forecast of future legislation but merely to illustrate the character of the Constitution. The framers of this instrument have thought it wise to give a stricken people an outlook into a better future, and it can hardly be denied that their conception of the better future is in conformity with advanced social thought. From a practical point of view the program must mean something in the future struggle for its realization. To controvert fundamental principles will mean to question and attack the Constitution. To that extent there is a positive gain to democracy and, if the term will not be misunderstood, to social democracy. In any event, the Constitution is in this respect unique. In its aims it is frankly radical. Revolution is to mean reconstruction. Even if that reconstruction is to be conservative in method, conservatism is not to be proclaimed as an ideal of government.

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FORECASTING THE CROPS OF THE DAKOTAS

THE proofs of the new propositions that are offered in this paper require the use of forbidding algebraical formulae and irksome statistical tables; but the propositions themselves are not unimportant, and, in order to invite consideration, they are presented free from technicalities in a preliminary survey.

A Summary of Conclusions

(1) About half a century ago, when American economic life was preponderantly agricultural, our federal government instituted a crop-reporting service that has been of immense practical value to growers, manufacturers and consumers. As far as I am aware, it was the pioneer governmental attempt to describe the crops during the growing season and to forecast from the condition of the growing crops the probable ultimate yield. As the country has grown in population and expanded and diversified its crop area, the crop-reporting service has been correspondingly extended and improved and has now become the exclusive work of one of the most important bureaus of the Department of Agriculture. The working ideal of the service is to achieve a forecast of the crop yield by combining the direct observations of practical men with the more refined inquiries of technical experts. The direct observations of farmer correspondents familiar with local conditions and prevailing crops are checked and supplemented by state and federal experts, and the resulting data are scrutinized, tabulated and analyzed in the central office at Washington.

The purport of the multitudinous separate reports, tabulations and calculations is kept secret until the moment of making the general announcements, which are given to the public in the shape of monthly forecasts of the crops during their respective growth seasons.

In order that the information in these reports may be made available

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simultaneously throughout the entire United States, they are handed at an announced hour on report days, to all applicants and to the Western Union Telegraph Company and the Postal Cable Company, who have branch offices in the Department of Agriculture, for transmission to the Exchanges and to the press. These companies have reserved their lines at the designated time, and forward immediately the figures of most interest. A mimeograph or multigraph statement, also containing such estimates of conditions or actual production, together with the corresponding estimates of former years for comparative purposes, is prepared and sent immediately to Exchanges, newspaper publications, and individuals. The same day printed cards containing the essential facts concerning the most important crops of the report are mailed to the 77,000 post offices throughout the United States for public display.[1]

The commodity markets are in a state of nervous expectancy as the time approaches for the official forecasts, because great values are at stake. It has been estimated that in case of the cotton crop alone an error in the forecasts which should lead to a depression of one cent a pound in the price of cotton-lint would —assuming a crop equal to that of 1914—entail a loss of eighty million dollars to the farmers. The vast values at stake and the dangers when no official estimate is available of the manipulation of the markets in the interest of speculators are held to justify the large recurrent annual cost of the employment of the numerous correspondents, clerks and experts.

The business of economic science, as distinguished from economic practice, is to discover the routine in economic affairs. It seeks to separate out the elements of the routine, to ascertain their interrelations and to use the knowledge of their connections to anticipate experience by forecasting from known changes the probabilities of correlated changes. What light can economic science throw upon the problem of forecasting the yield of the crops? The problem is fundamental, because the alternating bounty and niggardliness of nature initiate changes that are reflected throughout the entire economic organism.

[1] *Government Crop Reports: Their Value, Scope, and Preparation*, Circular 17, Bureau of Statistics, U. S. Department of Agriculture, Washington, 1908. A more ample description of the character and aim of the crop-reporting service is given in my Forecasting the Yield and the Price of Cotton, pp. 52–58.

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In the essay on *Forecasting the Yield and the Price of Cotton* I have shown from an investigation of cotton production in Texas, Georgia, Alabama and South Carolina—which are the four leading cotton states and which, together, produce sixty-five per cent of the entire cotton crop—that, in seventeen out of twenty cases, it is possible to forecast the yield more accurately from the accumulated weather than the government officials succeed in forecasting it from the data supplied by the direct observation of their agents. Indeed, in all the states except Texas—which is an exception probably because of the heterogeneous conditions that are due to its enormous size—it is possible to forecast the ultimate yield of cotton from the accumulated effects of the weather, for each month of the growth season, with as great a degree of accuracy as the government reports issued *two months later*. That is to say, for all of the states except Texas the forecasts from the accumulated weather at the end, respectively, of May, June and July are about as good as can be obtained by the official method *two months later*, at the end, respectively, of July, August and September.

In the present article the inquiry is shifted to an area remote from the Cotton Belt and is concerned with the leading cereals of North Dakota. In 1916, among the states of the United States, North Dakota ranked first in the production of spring wheat, second in the production of barley and seventh in the production of oats; and to these three crops, in 1918, seventy per cent of its crop area was devoted. By its importance as a cereal-producing state and its representativeness of conditions in a leading grain region, North Dakota supplies an informing instance in which to make a further test of the relative accuracy in the forecasting of crops from the weather and from the direct observation of crop conditions.

According to a Bulletin[1] of the United States Department of Agriculture, the average dates for planting in North Dakota are, for wheat, April 19 to May 12; for oats, April 26 to May 20; and for barley, May 12 to May 28. The average dates for

[1] Bulletin No. 757. *Farm Practices in Grain Farming in North Dakota*, by. C. M. Hennis and Rex E. Willard, 1919, p. 25.

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harvesting are, for wheat, August 10 to August 20; for oats, August 8 to August 15; and for barley, August 6 to August 13. In the course of the growth season of these crops the federal crop-reporting bureau issues forecasts on June 1, July 1 and August 1. As there are three of these reports for each crop, and there are three leading crops, it is possible in nine cases to compare the accuracy of the government forecasts with the accuracy of the forecasts from the weather. In the following pages the detailed comparison is given, and it is found that in eight out of the nine cases the forecasts from the weather are decidedly more accurate than the forecasts made by official experts from the direct observations of the growing crops.

"Hardheaded practical business men" have for decades gained and lost millions as a result of the government crop-reports. These reports have been composed by official experts with the assistance of a personnel that would make a small army and at a cost that would finance a score of colleges. But whether the forecasts referred to the fleecy yield of the malarial lowlands of the Cotton Belt or to the cereal crops of the wind-swept, sun-baked plains of Dakota, a properly equipped economist, without leaving his study, could have reached more accurate predictions from the simple data published by the Weather Bureau.

(2) With the possibility firmly established of predicting the yield of the crops from the accumulated changes of the weather, one is led to inquire whether the changes themselves are not subject to law. A tentative suggestion of regularity in the weather of North Dakota and South Dakota is offered in the ensuing pages.

A detailed examination of the dependence in the yield of wheat, oats and barley upon the rainfall and temperature during their growth seasons revealed that one of the most important elements affecting the quantity of the yield in North Dakota is, in case of all three crops, the rainfall of May and June. Because of the critical importance of the precipitation of May and June, for all of the crops, it seemed desirable to

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begin the quest of periodicities with an analysis of the record of rainfall in these two months.

In the treatment of the problem of forecasting the crop yield from the weather, the investigation was confined to North Dakota in order to limit the amount of necessary statistical computation. But in the inquiry as to the periodicity of the May and June rainfall, the data of both North Dakota and South Dakota, from 1882 to 1918, were analyzed by technical methods to ascertain whether there are cycles between the limits of three and twelve years. It was found that if there are cycles between these limits their most probable lengths are approximately eight and eleven years. Of these two cycles the one of eight years has the greater amplitude. Its dates of maximum rainfall were, approximately, 1882, 1890, 1898, 1906, 1914. The dates of maximum rainfall for the eleven-year cycles were, approximately, 1882, 1893, 1904, 1915. If the two curves are combined into a compound cycle of eight years and eleven years, the maxima of the compound cycle will still be, approximately, at 1882, 1890, 1898, 1906, 1914.

The dates of minimum rainfall in the compound cycle bring to light facts of very great interest. It is common knowledge that the semi-arid region of the United States begins to the west of the one-hundreth meridian, and, as it happens, this meridian divides nearly in two both North Dakota and South Dakota. Both states have a small annual rainfall, and as the average precipitation does not greatly exceed the minimum necessary for vegetation, the dates of minimum rainfall indicated by the compound cycle of eight and eleven years in the critical months of May and June should be times of partial crop failures. The facts bear out this inference. If a cycle of eight years is fitted to an index number of the yield in the Dakotas of the three crops, wheat, oats and barley, the curve of yield is practically congruent with the eight-year cycle in the rainfall of May and June; and, similarly, the eleven-year cycle of yield is practically congruent with the eleven-year cycle in the rainfall of the two critical months. Furthermore, if a compound cycle of eight and eleven years is fitted to the index number of the yield of the three crops, the compound

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cycle shows a general correspondence with the compound cycle of rainfall; and the dates of minimum rainfall are, approximately, the dates of the observed partial crop failures.

(3) We have seen (a) that the yield of the crops may be predicted from the accumulated changes in the weather; (b) that a most important weather factor, the rainfall of the critical growth season of the crops, tends in the Dakotas to follow a compound cycle of eight and eleven years; (c) that the leading crops of the Dakotas, wheat, oats and barley, tend to follow the same constituent cycles. Are there similar normalities in the crop yield of other parts of the United States?

In the same manner in which the rainfall data for the Dakotas were technically analyzed to ascertain the existence or non-existence of cycles, the data for the three crops, wheat, oats and barley, were analyzed for the whole of the United States. The crude figures indicating the yield of the crops are notoriously inexact, but, nevertheless, the analysis of the data for the United States revealed that if there are crop cycles between three and twelve years we may say they are approximately four, eight and eleven years in length. If these three cycles are compared with the results already established for the Dakotas, we find that in case of the eight-year cycle the maxima for the three crops of the United States, for the three crops of the Dakotas and for the May and June rainfall in the Dakotas are, approximately, at 1882, 1890, 1898, 1906, 1914, and that the four-year cycle produces, in all cases, secondary maxima midway between these dates. The eleven-year cycle in the three crops of the United States, in the three crops of the Dakotas and in the rainfall of the Dakotas are likewise practically congruent.

(4) Independent and separate analyses of data with a view to uncovering periodicities have been made in earlier studies with regard to (a) the annual rainfall in the Ohio Valley; (b) cotton in the United States; (c) wheat, oats and barley in the United Kingdom; (d) wheat, oats and barley in France. These separate and independent studies have disclosed (i) that if there

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are cycles between three and twelve years, two of the cycles are, approximately, of four and eight years in length; and (ii) that if the compound cycles of eight and four years are computed independently for these groups of data, the cycles reveal in all cases, major maxima at, approximately, 1882, 1890, 1898, 1906, 1914, with minor maxima approximately midway between these years.

These results taken together with the independent findings of the present paper enable us to conclude that the compound cycles of eight and four years for the May and June rainfall in the Dakotas, the annual rainfall in the Ohio Valley, the yield of cotton in the United States, the yield of wheat, oats and barley in the Dakotas, in the United States, in the United Kingdom and in France are, as far as concerns the dates of their maxima and minima, practically synchronous.

The Degree of Accuracy in the Government Forecasts

We come now to the technical part of our inquiry.

To understand the official method of forecasting the yield of the crops, one must have clearly in mind the technical meaning of the terms *normal*, *condition* and *indicated yield per acre*.

The Normal. The official description of the term normal runs as follows:

> To begin with, a normal condition is *not* an *average* condition, but a condition *above* the average, giving promise of *more than an average crop*. Furthermore, a normal condition does *not* indicate a *perfect* crop, or a crop that is or promises to be the very largest in quantity and the very best in quality that the region reported upon may be considered capable of producing. The normal indicates something *less* than this, and thus comes between the average and the possible maximum, being greater than the former and less than the latter. The normal may be described as a condition of perfect healthfulness, unimpaired by drought, hail, insects, or other injurious agency, and with such growth and development as may reasonably be looked for under these favorable conditions.[1]

[1] *Crop Reporter*, May, 1899, p. 3. *Cf.* Circular 17 of the Bureau of Statistics of the Department of Agriculture, 1908, pp. 12-13.

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Condition. The agents and correspondents of the Department of Agriculture are instructed to estimate the promise or condition of the growing crop as a percentage of the normal for the crop. They are asked to represent the normal by 100 and to express the current condition of the crop arithmetically as compared with the normal of 100 per cent. The correspondents are advised that they

> . . . will usually find it an advantage to have a definite idea of what yield per acre would constitute a full normal crop in their respective districts; that is, how many bushels, pounds, or tons per acre of a particular crop would be produced in a season that was distinctly but not exceptionally favorable. In a region where 30 bushels of corn may be taken as the normal, a condition of 90 would give a prospect of a crop of 27 bushels, and 80, a crop of 24 bushels.[1]

Indicated yield per acre. From the figures describing the condition of the crops, which are supplied by the agents and correspondents of the Department of Agriculture, the Crop-Reporting Board computes the indicated yield per acre for the several crops. An official description has been given of the method used in making the forecast.

> It is assumed, in the first place, that average conditions at any time are indicative of average yields per acre; that conditions above an average at any time are indicative of yields above the average; and conditions below the average at any time are indicative of yields below the average. If at any time the condition of a growing crop is 5 per cent above the average condition for such time, it is assumed that the yield is more likely to be 5 per cent above the average yield than any other amount. If the condition at any time is 10 per cent below the average for such time, it is assumed that the yield is more likely to be 10 per cent below the average than any other amount. . . . The process in the interpretation may be explained by an example. The condition of corn on July 1, 1911 was 80.1 per cent of a normal condition; in the last 5 years, the condition has averaged 85 per cent of a normal condition; thus the condition on July 1 is 5.8 per cent below the average condition (80.1 being 94.2 per cent of 85), and suggests a yield of 5.8 per cent below the average. In the last 5 years the yield

[1] *Crop Reporter*, May, 1899, p. 3.

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averaged about 27.1 bushels; 94.2 per cent of 27.1 bushels (94.2 x 27.1) is nearly 25.5 bushels; therefore conditions are said to indicate a yield of 25.5 bushels.[1]

We propose to test the accuracy of the official method of forecasting when the method is applied to the crops of North Dakota.

As we have just seen, the method of the Crop-Reporting Board in making the forecast of the yield per acre of a crop is to assume that the ratio of the yield per acre for any given year to the mean yield per acre for the preceding five years is equal to the ratio of the condition of the crop for a given month to the mean condition for the given month during the preceding five years. The method becomes clearer when it is expressed in symbols: Let Y equal the prospective yield per acre of the crop for the current year; $\overline{Y}_5$ equal the mean yield per acre of the crop for the preceding five years; C equal the condition of the crop for the current month; $\overline{C}_5$ equal the mean condition for the same month during the preceding five years. Then, according to the assumption of the Crop-Reporting Board, $Y/\overline{Y}_5 = C/\overline{C}_5$. We shall call $Y/\overline{Y}_5$, the yield ratio; and $C/\overline{C}_5$, the condition ratio.

In Table I we have the record, for a quarter of a century, of the actual yield per acre of oats, and the yield as predicted, according to the method of the Crop-Reporting Board, from the condition of the crop on the first of August. The column marked $C/\overline{C}_5$ gives the ratio of the condition of the crop, at the first of August of any given year, to the mean condition of the crop, at the first of August, during the preceding five years. According to the method of the Crop-Reporting Board, the ratio $C/\overline{C}_5$ is the probable ratio that the yield per acre of any given year should bear to the mean yield of the preceding five years. But the column marked $Y/\overline{Y}_5$ gives the ratio of the actual yield per acre to the mean yield for the preceding five years. An inspection of the table shows that the two series—the predicted series and the actual series—are not equal. Is

[1] *Crop Reporter*, July, 1911, pp. 53–55.

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TABLE I

THE ACTUAL YIELD PER ACRE OF OATS IN NORTH DAKOTA COMPARED WITH THE YIELD AS FORECAST FROM THE AUGUST CONDITION OF THE CROP

Year	Condition of the crop August 1 C	Mean condition on August 1 for the preceding 5 years $\overline{C}_5$	$C/\overline{C}_5$	Yield per acre of oats in bushels Y	Mean yield per acre of oats for the preceding 5 years $\overline{Y}_5$	$Y/\overline{Y}_5$
1892	91			26.5		
1893	75			21.9		
1894	70			25.9		
1895	94			32.1		
1896	81			22.0		
1897	86	82	105	23.0	25.7	89
1898	92	81	114	30.7	25.0	123
1899	88	85	104	30.0	26.7	112
1900	27	88	31	10.3	27.6	37
1901	96	75	128	32.6	23.2	141
1902	95	78	122	38.4	25.3	152
1903	64	80	80	27.4	28.4	96
1904	94	74	127	37.4	27.7	135
1905	95	75	127	38.9	29.2	133
1906	93	89	104	32.5	35.0	93
1907	75	88	85	24.5	34.9	70
1908	73	84	87	23.4	32.1	73
1909	92	86	107	32.0	31.3	102
1910	27	86	31	7.0	30.3	23
1911	58	72	81	23.5	23.9	98
1912	94	65	145	41.4	22.1	187
1913	71	69	103	25.7	25.5	101
1914	84	68	124	28.0	25.9	108
1915	95	67	142	40.0	25.1	159
1916	77	80	96	21.5	31.7	68
1917	52	84	62	15.0	31.3	48
1918	71	76	93	23.5	26.0	90

there any relation between the two series, and if so, how closely are they related, and what is the error made in using the condition-series to forecast the yield-series?

The theory of statistical correlation enables us to answer these questions. Suppose we let the values in the $Y/\overline{Y}_5$ series be represented by y and the values in the $C/\overline{C}_5$ series be represented by x. Then, we know from the theory of correlation, if the association between the variables is linear the closeness of their relation is measured by the coefficient of correlation r, and the straight line connecting the values of y with the values of x is described by the equation

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$$(y-\bar{y}) = r\frac{\sigma_y}{\sigma_x}(x-\bar{x})$$

where $\bar{y}$, $\bar{x}$, and σ_y, σ_x are the means and the standard deviations, respectively, of the y's and x's. By putting the reasoning into symbolic form we see the implied assumptions in the method of the Crop-Reporting Board. The method assumes that $y=x$ and, consequently, it implicitly assumes (1) that $r\frac{\sigma_y}{\sigma_x}=1$, and (2) that $\bar{y}=\bar{x}$.

The graph in Figure 1 shows the scatter diagram connecting the yield-series with the condition-series. The equation to the straight line connecting the two series, which is given in Figure 1, was computed from $(y-\bar{y})=r\frac{\sigma_y}{\sigma_x}(x-\bar{x})$. For any given value of x, we may find the corresponding most probable value of y, either by substituting for x in the equation to the straight line and then solving for y, or, by using the graph of Figure 1, obtain the ordinate of the straight line corresponding to the given abscissa. Furthermore, we are able to measure the scatter of the observations about the straight line from the formula $S=\sigma_y\sqrt{1-r^2}$. In the particular case before us $\sigma_y=39.29$; $r=.921$; and, consequently, $S=15.32$. In brief, we know the closeness of the relation between the two series from the value of $r=.921$; we know the law connecting the two series from the equation $y=1.21\,x-19.5$; and we know the magnitude of the error made in using this law as a formula to predict the probable yield per acre, because $S=\sigma_y\sqrt{1-r^2}=15.32$.

If we examine the degree of accuracy of the forecasts obtained by using the method of the Crop-Reporting Board, we shall find that, for this month of August, the results agree very closely with the values of S which we have obtained by the method of correlation. The forecast series in Table I is given in the column marked $C/\bar{C}_5$, and the actual series is given in the column marked $Y/\bar{Y}_5$. If we take the sum of the squares of the differences between $Y/\bar{Y}_5$ and $C/\bar{C}_5$, and divide by the number of cases, we shall have the mean square of the devia-

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tions of the actual series from the theoretical series, and this value is comparable with S^2. If we put S' equal to the square

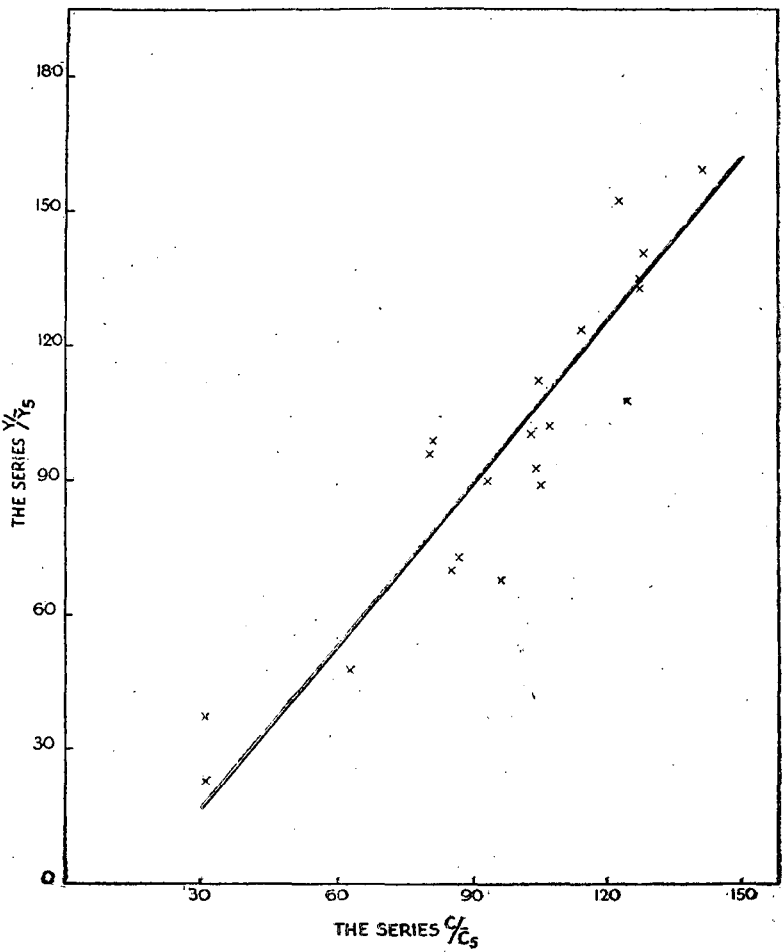

FIGURE 1. Correlation of the actual yield-ratios of oats with the forecasts from the August condition of the crop.

Equation to the straight line, $y = 1.21x - 19.5$, where y = the probable value of $Y/\overline{Y}_5$ and $x = C/\overline{C}_5$.

root of the mean square of the deviations of the actual series from the predicted series, we may write

$$S' = \sqrt{\left\{ \frac{\Sigma(Y/\overline{Y}_5 - C/\overline{C}_5)^2}{N} \right\}}$$

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where N is the number of years through which the series extends, and $\Sigma(Y/\overline{Y}_5 - C/\overline{C}_5)^2$ indicates the sum of the squares of the deviations, during the several years, of the actual series from the predicted series. The value of S′ for August is, S′ = 16.63. We see, accordingly, that for this month of August, the accuracy of the forecast by the method of the

TABLE II

RELATIVE ACCURACY OF CROP-YIELD FORECASTING FORMULAE

(1) The Correlation Equation $(y-\bar{y}) = r\frac{\sigma_y}{\sigma_x}(x-\bar{x})$; $S = \sigma_y\sqrt{1-r^2}$.

(2) The Official Formula $C/\overline{C}_5 = Y/\overline{Y}_5$; $S' = \sqrt{\left\{\frac{\Sigma(Y/\overline{Y}_5 - C/\overline{C}_5)^2}{N}\right\}}$.

Crops	Standard Deviation of the Yield-Ratio σ_y	June			July			August		
		r	S	S′	r	S	S′	r	S	S′
Wheat. . . .	37.36	.614	29.48	34.09	.656	28.21	28.35	.868	18.57	19.00
Oats.	39.29	.645	30.02	36.56	.765	25.30	26.35	.921	15.32	16.63
Barley. . . .	38.12	.642	29.20	34.98	.766	24.51	25.75	.911	15.70	17.10

Crop-Reporting Board is almost as great as the accuracy of the method of correlation.

Now that we have a means for testing the accuracy of the official method of forecasting, we may consider whether the official formula enables one to obtain from the laboriously collected data referring to crop conditions the maximum of information as to the prospective yield. Table II gives the results of the relevant computations,[1] and from this we see that for all three crops, for all of the months in which the reports are

[1] The raw data relating to the "condition of the crops," which are given in the APPENDIX, Table A, were very kindly supplied to me from the governmental records by Mr. Leon M. Estabrook, Chief of the Bureau of Crop Estimates. The figures descriptive of the yield per acre of the three crops, which are given in the APPENDIX, Table B, were compiled from Bulletins 57, 58, 59 of the Bureau of Statistics of the Department of Agriculture, and from the *Yearbooks* of the Department of Agriculture.

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tested, the correlation equation gives a more accurate forecast than the official formula.[1]

Forecasting the Crops from the Weather

In the essay on *Forecasting the Yield and the Price of Cotton* proofs were submitted that it is possible to forecast the yield of cotton more accurately from the accumulated rainfall and temperature in the states of the Cotton Belt than the official experts succeed in achieving from direct observations of the growing crop. Also, a statement was made "that the principles and methods of forecasting the yield of cotton may be utilized in forecasting the yield of other agricultural crops" (page 94). The truth of this statement will now be illustrated by showing how the forecasts, from the weather, of the yield of wheat, oats, and barley in North Dakota are more accurate than the official reports.

In the preparation of the raw data of rainfall, temperature and yield, the example of the Crop-Reporting Board was followed in converting the absolute figures into ratios. Just as the series with which the forecasts of the yield were made from the observed condition of the crops took the form $C/\overline{C}_5$, $Y/\overline{Y}_5$, so, in forecasting the yield from the rainfall and temperature, our raw figures were converted into the ratios $R/\overline{R}_5$, $T/\overline{T}_5$, $Y/\overline{Y}_5$, where R referred to rainfall, T, to temperature, and Y to yield per acre. After the data[2] were converted into series, the next question was to devise forecasting formulae. These formulae were in all cases correlation equations, which differed in form according to the number of variables to be correlated.[3]

When two variables were correlated the essential steps were

(1) The assumption that the two variables were related in a linear way by the equation $y = mx + b$;

(2) The calculation of the coefficient of correlation r;

[1] The reasons for the greater accuracy of the correlation formula are discussed in Forecasting the Yield and the Price of Cotton, pp. 69, 78–80.

[2] The crude weather data are given in the APPENDIX, Table C.

[3] The mathematical treatment of the problem is given in Forecasting the Yield and the Price of Cotton, chap. ii and pp. 105–111.

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(3) The determination of the accuracy of the equation $y = mx + b$ as a forecasting formula by calculating the scatter $S'' = \sigma_y \sqrt{1 - r^2}$.

When three variables were correlated the essential steps were

(1) The assumption that the equation connecting the three variables x_0, x_1, x_2 was $x_0 = a_0 + a_1 x_1 + a_2 x_2$;

(2) The determination of the degree of association between the variable x_0 and the other two variables x_1, x_2 by calculating the coefficient of multiple correlation R;

(3) The determination of the accuracy of the equation $x_0 = a_0 + a_1 x_1 + a_2 x_2$ as a forecasting formula by calculating the scatter $S'' = \sigma_0 \sqrt{1 - R^2}$.

Table III gives the degree of accuracy of the forecasts by the official method from the direct observations of the growing crops, and the accuracy of the method of correlation from the accumulated effects of the weather.

We see from the table (1) that in eight out of nine cases the forecasts from the weather are more accurate than the official forecasts from the condition of the crops; (2) that the advantage of the forecasts from the weather is greater for the early months than for the later months, or, in other words, the margin between the two forecasts is narrowed with the approach to the harvest; (3) that in the one case in which the forecast by the official method is better than the forecast from the weather the official report is made only about two weeks before the crop is harvested.

The Rainfall and the Crops of the Dakotas

The solution of the problem of forecasting the crops from the changes of the weather very naturally leads one to ask whether the climatic vicissitudes are not themselves subject to law.

In carrying out the computations referring to the influence of the accumulated changes of weather upon the yield of the crops in North Dakota, it became evident that, in case of all three of the crops—wheat, oats and barley—the rainfall of May and June is of critical importance.[1] The correlation be-

[1] This importance has been observed in Bulletin No. 757 of the United States Department of Agriculture, *Farm Practices in Grain Farming in North Dakota*, by C. M. Hennis and Rex E. Willard.

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TABLE III

RELATIVE ACCURACY IN FORECASTS OF CROP-YIELDS IN NORTH DAKOTA

(1) From the Condition of the Crops by the Official Method. Error = S′.

(2) From the Weather Reports, by the Method of Multiple Correlation. Error = S″.

Crops	Standard Deviation of the Yield-Ratio σ_y	June		July		August	
		S′	S″	S′	S″	S′	S″
Wheat. . . .	37.36	34.09	29.03	28.35	26.08	19.00	20.40
Oats.	39.29	36.56	32.37	26.35	23.34	16.63	15.48
Barley. . . .	38.12	34.98	33.24	25.75	24.97	17.10	15.78

The method of computing S′ has been explained in the discussion referring to Table II.

In obtaining S″ the formulas $S'' = \sigma_0 \sqrt{1-r^2}$, $S'' = \sigma_0 \sqrt{1-R^2}$ were used according as one or more independent variables were employed. The combinations of variables were:

In the case of wheat: For June, rainfall-ratio for April and May ($r = .629$); for July, May rainfall-ratio ($r = .621$), June temperature-ratio ($r = -.499$); for August, rainfall-ratio for April, May, June, July ($r = .732$), and temperature-ratio for June and July ($r = -.762$).

In the case of oats: For June, May rainfall-ratio ($r = .566$); for July, rainfall-ratio for May and June ($r = .789$), temperature-ratio for June ($r = -.545$); for August, rainfall-ratio for April, May, June, July ($r = .836$), temperature-ratio for June and July ($r = -.803$).

In the case of barley: For June, May rainfall-ratio ($r = .490$); for July, rainfall-ratio for May and June ($r = .730$), temperature-ratio for June ($r = -.545$); for August, rainfall-ratio for April, May, June, July ($r = .796$), temperature-ratio for June and July ($r = -.827$).

tween the rainfall-ratio for May and June in North Dakota and the yield-ratio of wheat is $r = .66$; of oats, $r = .79$; of barley, $r = .73$. This fact suggested that it would be wise to begin the quest for periodicities in the weather by scrutinizing the data of precipitation for May and June. In order to widen the inquiry, the mean monthly rainfall for May and June in the two Dakotas, from 1882 to 1918, was made the basis of the investigation. The data for North Dakota from 1892 to 1918 and for South Dakota from 1891 to 1918 were taken from the publication of the Weather Bureau *Climatological Data* for 1918.

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The precipitation data for the earlier years were compiled from Bulletin W, *Summaries of Climatological Data by Sections*, published by the Weather Bureau, and the records of the following stations were used: Devils Lake, Moorhead (Minn.), Pembina, Bismark, Fort Yates, Williston, Yankton, Huron, Fort Meade and Fort Sully. The figures are given in Table D of the APPENDIX.

When the figures are analyzed by the method of the periodogram to discover whether there are cycles in the May and June

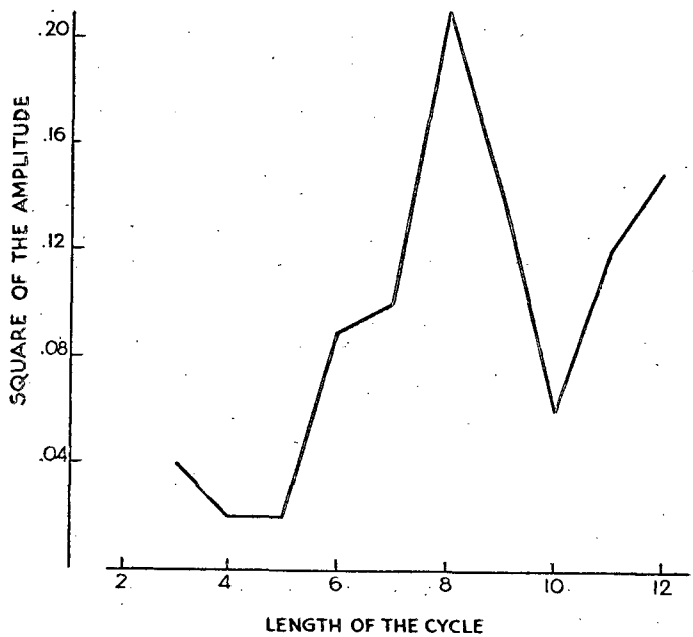

FIGURE 2. The periodogram of May and June rainfall in the Dakotas.

precipitation in the Dakotas, one finds from the periodograph, which is given in Figure 2, that if there are cycles in the rainfall during the critical period of the leading crops in the Dakotas the most probable cycles are, approximately, of eight and eleven years in length. If the eight-year cycle is plotted by itself, it will show a maximum at, approximately, 1882, 1890, 1898, 1906, 1914. If the eleven-year cycle is plotted alone it will show a maximum at, approximately, 1882, 1893, 1904, 1915 (see Figure 3). If the two cycles are combined into

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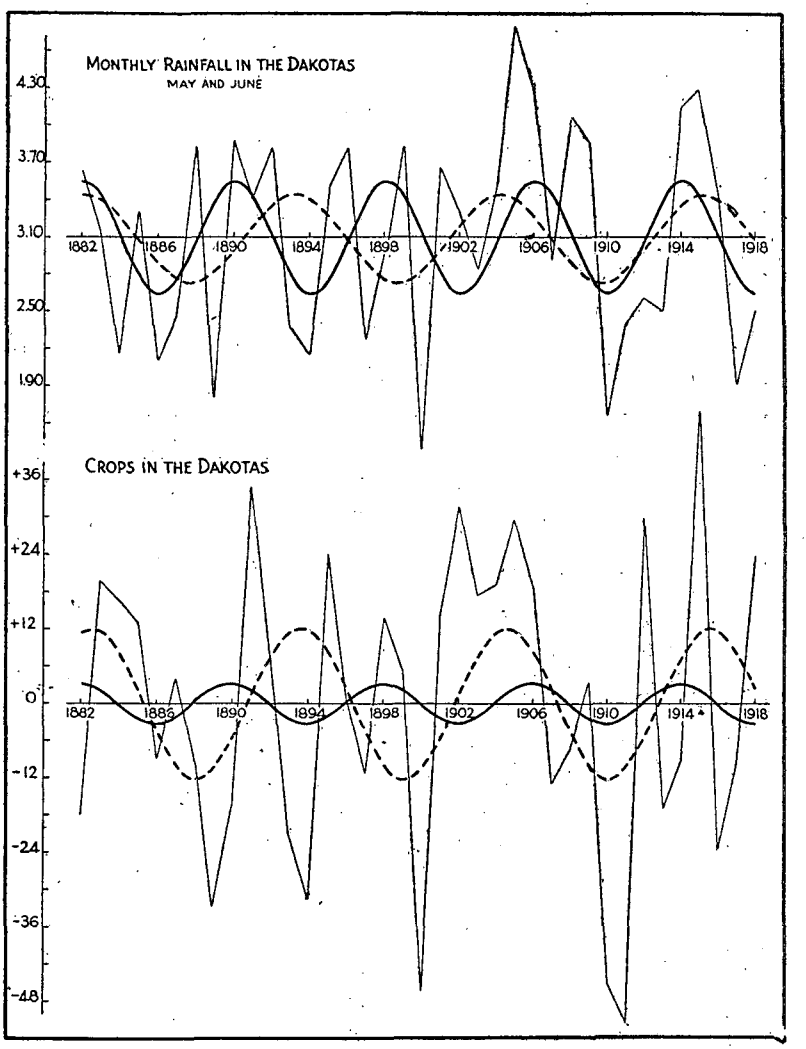

FIGURE 3. Cycles in the rainfall (May and June) and in the crop yield (wheat, oats, and barley) of the Dakotas.

Rainfall cycles: Eight-year cycle (——), $y = 3.09 + .45 \sin\left[\frac{2\pi}{8}t + 84^\circ\ 39'\right]$, origin at 1882;

Rainfall cycles: Eleven-year cycle (– – –), $y = 3.09 + .35 \sin\left[\frac{2\pi}{11}t + 82^\circ\ 25'\right]$, origin at 1882;

Crop cycles: Eight-year cycle (——), $y = .02 + 3.20 \sin\left[\frac{2\pi}{8}t + 93^\circ\ 59'\right]$, origin at 1882;

Crop cycles: Eleven-year cycle (– – –), $y = .02 + 12.17 \sin\left[\frac{2\pi}{11}t + 70^\circ\ 41\right]$, origin at 1882.

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a compound cycle of eight years and eleven years, the maxima of the compound cycle will still be approximately at 1882, 1890, 1898, 1906, 1914 (see Figure 4).

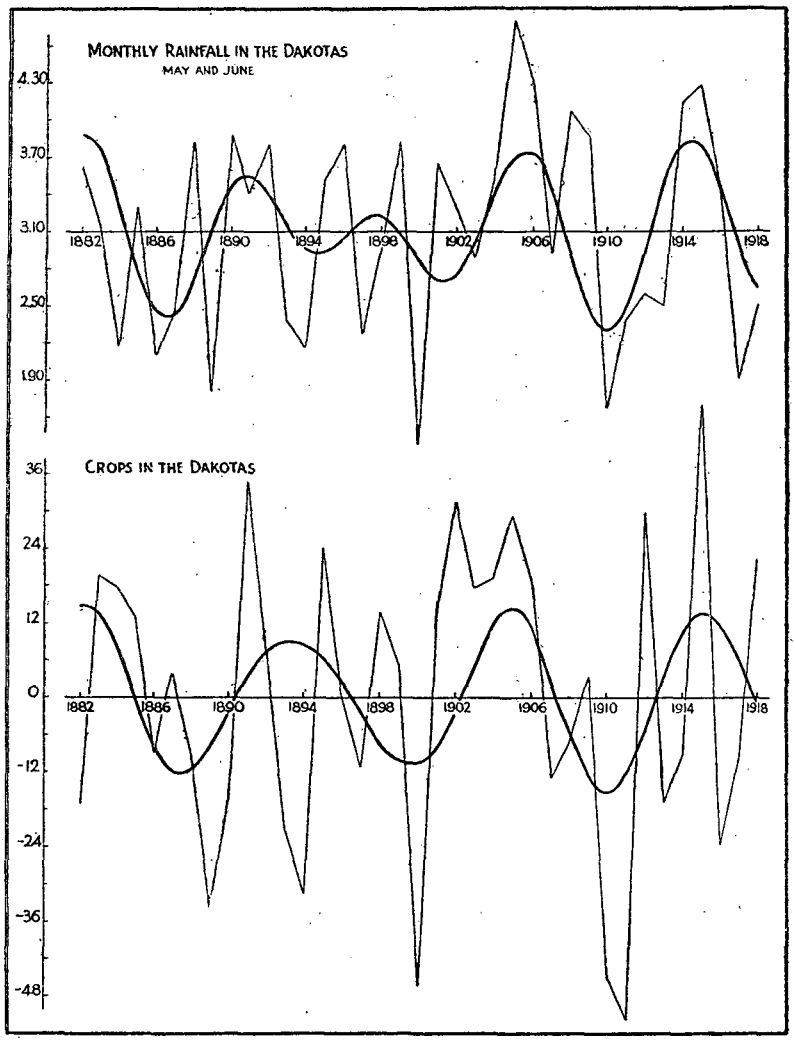

FIGURE 4. The monthly rainfall (May and June) and the crop yield (wheat, oats, and barley) in the Dakotas.

The rainfall curve: $y = 3.09 + .45 \sin\left\{\frac{2\pi}{8}t + 84° 39'\right\} + .35 \sin\left\{\frac{2\pi}{11}t + 82° 25'\right\}$, origin at 1882;

The crop-yield curve: $y = .02 + 3.20 \sin\left\{\frac{2\pi}{8}t + 93° 59'\right\} + 12.17 \sin\left\{\frac{2\pi}{11}t + 70° 41'\right\}$, origin at 1882.

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Before leaving this attempt to discover periodicities in rainfall from the records made by the stations of the Weather Bureau, it would be well to observe why one must speak only of approximate results. Apart from the shortness of the records with which one generally has to deal in meteorology and economics, there are two reasons of importance: the first is that when the data are affected with error it is impossible, in using Fourier's theorem to ascertain the length of the period, to give the precise length of the cycle; the second is that, even in meteorology and much more frequently in economics, the methods of making the records are changed in the interval during which the observations run. The argument which we are about to enter upon is not dependent upon the numerical accuracy of any one result, but it derives its force from the convergence of many lines of investigation upon the same conclusion.

We have just seen that there are well-defined cycles of eight and eleven years in the rainfall of the critical period of the crops in the Dakotas. Do the crops pass through similar cycles? To go forward with the investigation an index number of the yield of the crops in the Dakotas, from 1882 to 1918, was constructed in the following manner: The crude data of yield per acre of the three crops were obtained from Bulletins 57, 58, 59 of the Bureau of Statistics of the United States Department of Agriculture and from the *Yearbooks* of the Department of Agriculture. In case of each crop an index number was constructed by taking the mean yield for the ten years 1890–1899 as equal to 100 and expressing the yield for each year of the series as a percentage of the mean yield. Each series of index numbers was found to have a secular trend. To ascertain and eliminate the secular trend, a parabola of the type $y = a + bx + cx^2 + dx^3$ was fitted to the series. The equations to the parabolas were, with the origin at 1900, in the case of wheat, $y = 94.8 + .336x + .0543x^2 - .00344x^3$; in the case of oats, $y = 106.5 + 1.454x + .0560x^2 - .00758x^3$; in the case of barley, $y = 102.4 + .578x + .0118x^2 - .00169x^3$. After the equations to the secular trends of the three crops were derived, the deviations of the actual yield per acre from

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the secular trends were computed, and these deviations for the three crops were averaged by summing for the several years and then dividing by three. The results formed the index numbers of the deviations of the yield per acre of the three crops. That this index of crop-yield is related to the rainfall of May and June is shown by the coefficient of correlation, which is $r=.52$; and that the general run of the index is due to similar variations of the three crops is shown by the correlation between the deviations of the three crops from their respective trends. The correlation between the deviations of wheat and oats is $r=.74$; between wheat and barley, $r=.78$; and between oats and barley, $r=.91$.

If a cycle of eight years is fitted to this index number of the yield of the three crops, it is found that the curve presents maxima, approximately, at 1882, 1890, 1898, 1906, 1914, and synchronizes with the eight-year cycle in the rainfall of May and June (see Figure 3). If a cycle of eleven years is fitted to the index of the yield, the eleven-year cycle synchronizes with the eleven-year cycle in the rainfall of May and June. This agreement between the constituent cycles of the rainfall curve and the constituent cycles of the crop-yield index might lead one to suppose that the compound cycles would show a perfect accordance. This however is not the case because of the differences in the amplitudes of the constituent cycles. In case of the rainfall curve the eight-year cycle has the greater amplitude and, consequently, when the eight and eleven-year cycles are combined, the eight-year features prevail (see Figure 4). The reverse is the case with the crop index, where the eleven-year cycle has the greater amplitude and determines the characteristic features of the compound crop cycle. The two compound cycles—of rainfall and of crops—show a general resemblance in shape with a notable difference between 1890 and 1898. Notwithstanding this difference the minima of the compound cycle of rainfall are approximately at the times of partial crop failures (see Figure 4).

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Crop Cycles in the United States

The Dakotas form the central and most important region in the production of spring wheat, and they make large contributions to the total production of spring oats and spring barley. As the growth season of these crops is limited to the four months of May, June, July and August, one would seem to be justified in believing that the regular cyclical changes in the crop yield of the Dakotas would not be reproduced in other parts of the country where, for example, winter wheat, winter oats and winter barley are cultivated. The belief would seem to be all the more warranted in view of the proof which has just been given that the cycles in the crops of the Dakotas are largely due to the cycles in the rainfall of May and June. Despite these *a priori* objections the investigation was carried out.

In exactly the same way in which an index number was computed for the yield of wheat, oats and barley in the Dakotas, an index was constructed for the yield per acre of these three crops, from 1882 to 1918, in the whole of the United States. The mean yield of each crop from 1890 to 1899 was taken as the base, being represented by 100, and the yield for each year from 1882 to 1918 was expressed as a percentage of this mean. The secular trends in the three series were ascertained by fitting to each a parabola of the third order, the equation to which, with the origin at 1899, was

in the case of wheat, $y=102.1+.952x-.0004x^2-.001101x^3$;
in the case of oats, $y=105.7+.805x+.0258x^2-.00004x^3$;
in the case of barley, $y=103.8+.908x-.0067x^2-.001599x^3$.

The deviations from the secular trend for each crop were computed, and an average of the deviations of the three crops was obtained by summing the deviations for each year and dividing by three.

After the index numbers of the yield of the three crops were derived the correlation between the index for the Dakotas and the index for the United States was computed[1] and found to be $r=.78$. The data were then scrutinized to ascertain whether there were cycles between three and twelve years in length in

[1] The data are given in APPENDIX, Table D.

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the yield of the three crops in the United States. The results of the computations are displayed in Figure 5. It is clear from the periodograph that if there are cycles in the yield of wheat, oats and barley in the United States, the lengths of the cycles are in the neighborhood of three, eight and eleven years. We shall reserve comment upon the cycle of approximately three

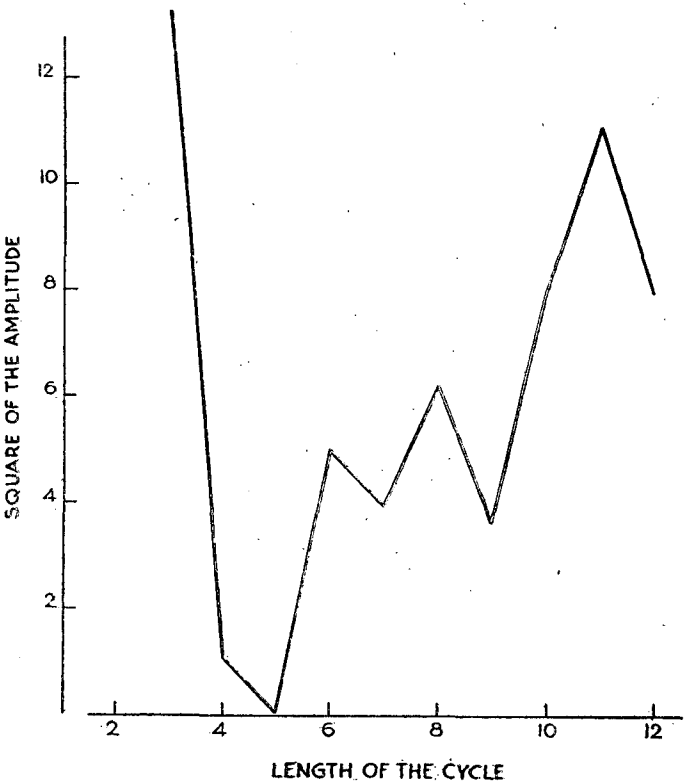

FIGURE 5. The periodogram of the yield of wheat, oats, and barley in the United States.

years until further on, and shall examine the cycles in the neighborhood of eight and eleven years.

If the eight-year cycle is computed by itself (see Figure 6) it is found to show maxima at, approximately, 1882, 1890, 1898, 1906, 1914—which are the dates of the maxima indicated by the eight-year rainfall curve in the Dakotas and the eight-year crop cycle in the Dakotas. All three of these curves are congruent. If the eleven-year cycle is computed by itself,

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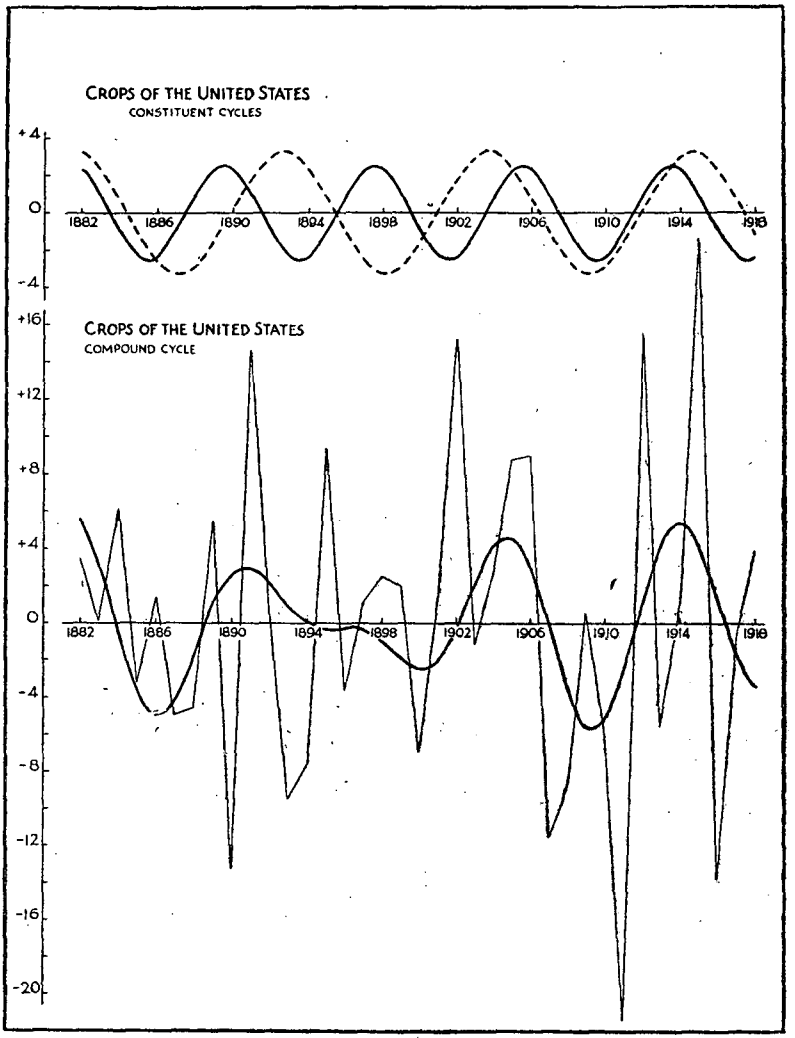

FIGURE 6. Cycles in the yield of wheat, oats, and barley in the United States.

Constituent cycles: Eight-year cycle (——), $y = .10 + 2.49 \sin\left\{\frac{2\pi}{8}t + 111^\circ\ 27'\right\}$, origin 1882;

Constituent cycles: Eleven-year cycle (- - -), $y = .02 + 3.30 \sin\left\{\frac{2\pi}{11}t + 102^\circ\ 8'\right\}$, origin 1882;

Compound cycle: $y = .06 + 2.49 \sin\left\{\frac{2\pi}{8}t + 111^\circ\ 27'\right\} + 3.30 \sin\left\{\frac{2\pi}{11}t + 102^\circ\ 8'\right\}$, origin 1882.

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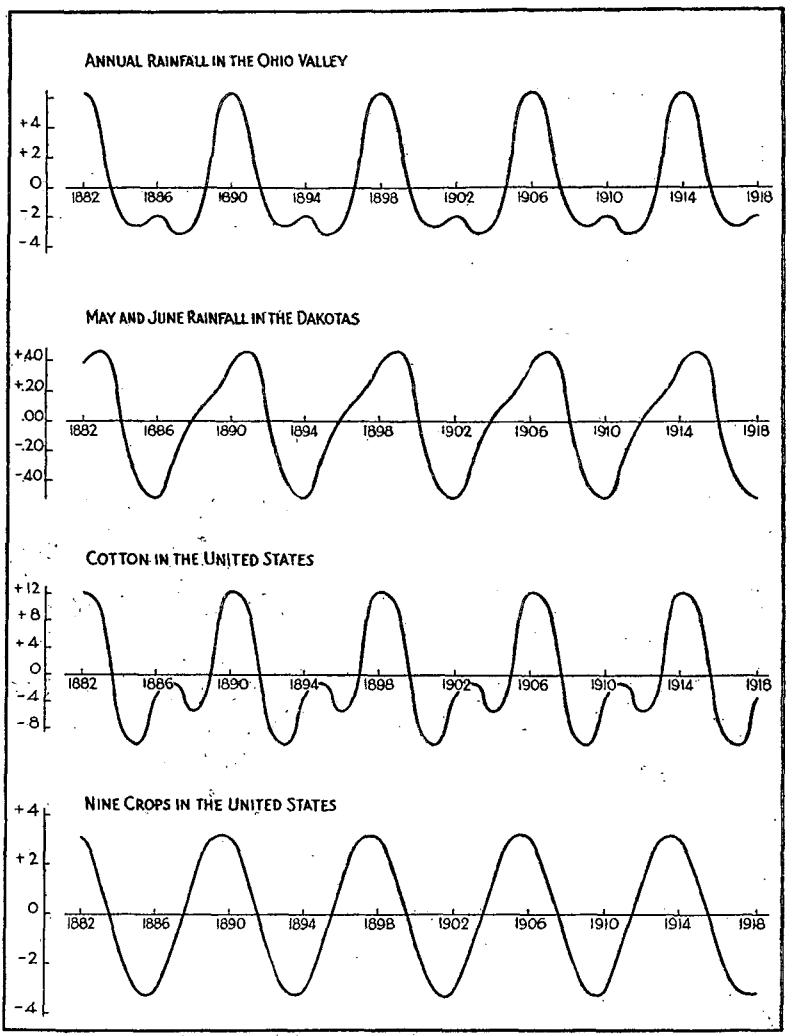

FIGURE 7. Rainfall Cycles and Crop Cycles.

Rainfall of the Ohio Valley:

$$y = 4.13 \sin\left\{\frac{2\pi}{8}t + 310^\circ\ 41'\right\} + 2.14 \sin\left\{\frac{4\pi}{8}t + 180^\circ\ 28'\right\}, \text{ origin at } 1839;$$

May and June rainfall in the Dakotas:

$$y = .45 \sin\left\{\frac{2\pi}{8}t + 84^\circ\ 39'\right\} + .14 \sin\left\{\frac{4\pi}{8}t + 328^\circ\ 20'\right\}, \text{ origin at } 1882;$$

Yield of cotton in the United States:

$$y = 7.70 \sin\left\{\frac{2\pi}{8}t + 44^\circ\ 25'\right\} + 6.67 \sin\left\{\frac{4\pi}{8}t + 316^\circ\ 4'\right\}, \text{ origin at } 1881;$$

Yield of nine crops in the United States:

$$y = 3.36 \sin\left\{\frac{2\pi}{8}t + 198^\circ\ 52'\right\}, \text{ origin at } 1884.$$

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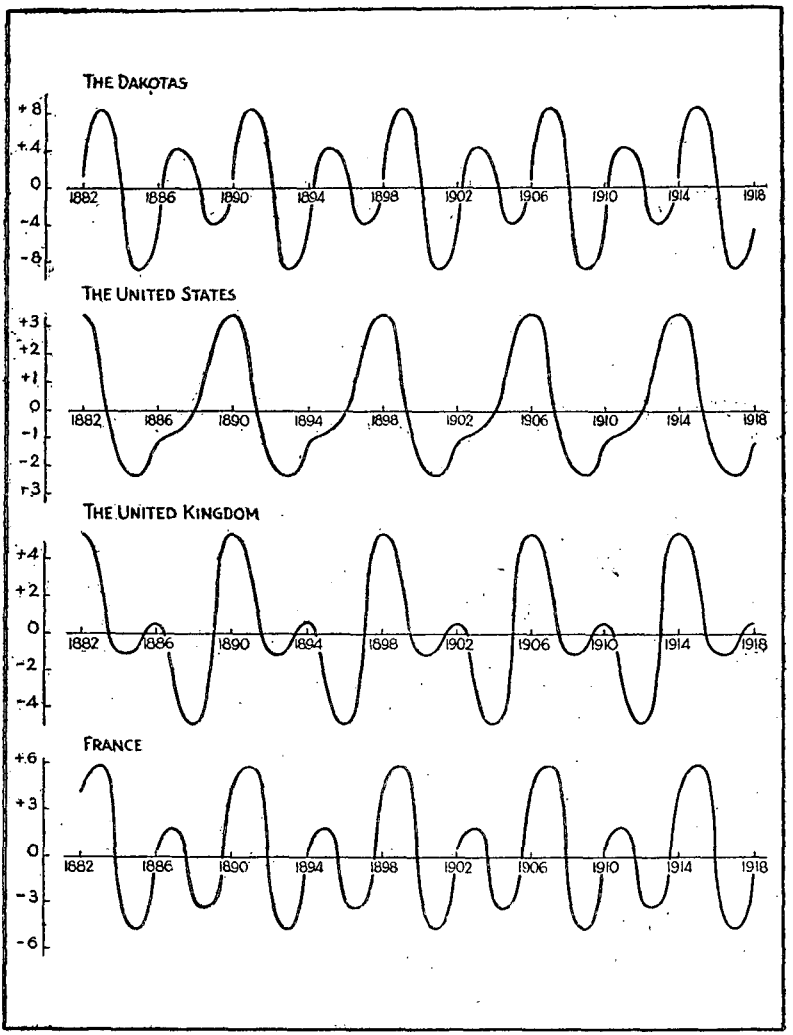

FIGURE 8. Cycles in the yield of wheat, oats, and barley in the Dakotas, the United States, the United Kingdom, and France.

The Dakotas:

$$y = 3.20 \sin\left[\frac{2\pi}{8}t + 93^\circ\ 59'\right] + 6.61 \sin\left[\frac{4\pi}{8}t + 343^\circ\ 45'\right], \text{ origin at } 1882;$$

The United States:

$$y = 2.49 \sin\left[\frac{2\pi}{8}t + 111^\circ\ 27'\right] + 1.03 \sin\left[\frac{4\pi}{8}t + 83^\circ\ 3'\right], \text{ origin at } 1882;$$

The United Kingdom:

$$y = 3.02 \sin\left[\frac{2\pi}{8}t + 142^\circ\ 0'\right] + 2.94 \sin\left[\frac{4\pi}{8}t + 261^\circ\ 3'\right], \text{ origin at } 1884;$$

France:

$$y = 2.17 \sin\left[\frac{2\pi}{8}t + 292^\circ\ 56'\right] + 4.40 \sin\left[\frac{4\pi}{8}t + 118^\circ\ 51'\right], \text{ origin at } 1879.$$

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it is found to show maxima at, approximately, 1882, 1893, 1904, 1915—which are the approximate dates in the maxima of the eleven-year rainfall cycle in the Dakotas and the eleven-year crop cycle in the Dakotas.[1] If a compound cycle of eight and eleven years is computed and drawn, the compound cycle resembles both the compound rainfall cycle of the Dakotas and the compound crop cycle of the Dakotas (see Figures 3, 4 and 6).

International Comparisons

The periodogram of the yield of wheat, oats and barley in the United States indicated that the most probable crop cycles between three and twelve years in length are in the neighborhood of three, eight and eleven years. The cycles of eight and eleven years we have examined, and before proceeding to international comparisons a word is to be said about the apparent cycle of three years. It is quite possible that the true length of the cycle is nearer three years than four years, but I shall assume, for the purpose of international comparison, that the true length is nearer four than three. Some ground for taking this liberty was suggested a while ago when I pointed out how impossible it is to determine the exact length of cycles when the series of observations are short and affected with error. As our crop-yield statistics are notoriously inexact, it would not be surprising if the maximum ordinates of the periodogram of yield are somewhat dislocated when the yields of the three crops through a relatively short period are combined by mathematical methods into an index number.

Separate and independent studies have previously been made of the most probable cycles between three and twelve years in the rainfall of the Ohio Valley,[2] the yield of cotton in the United States,[3] the yield of wheat, oats and barley in the United Kingdom,[4] the yield of wheat, oats and barley in France.[5]

[1] The eleven-year cycles to which reference has just been made are synchronous with the eleven-year period of sunspots. At another time I expect to treat with some detail the relation of solar periodicities and social changes.

[2] Economic Cycles: Their Law and Cause, p. 16.

[3] *Journal of the Royal Statistical Society*, May, 1919.

[4] *Ibid.*, May, 1919. [5] *Ibid.*, May, 1920.

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These independent studies indicated (i) that if there are cycles between three and twelve years in the separate series their most probable lengths are in the neighborhood of eight and four years; and (ii) that in all cases the major maxima of the compound cycles of eight and four years occur at about 1882, 1890, 1898, 1906, 1914, with minor maxima midway between these dates. It was also pointed out in an earlier study[1] that the yield of nine crops in the United States shows a cycle of about eight years with maximum ordinates occurring at about 1882, 1890, 1898, 1906, 1914 (see Figures 7 and 8).

Additional results have been reached in this paper. We have computed the periodogram of the May and June rainfall in the Dakotas, and the periodogram of the yield of wheat, oats and barley in the United States. In both cases there is clear evidence of the existence of the eight-year cycle whose maximum ordinates appear in the neighborhood of 1882, 1890, 1898, 1906, 1914. The rainfall of May and June occurs at the critical period in the growth of wheat, oats and barley in the Dakotas, so that a cycle of eight years in length synchronizing with the May and June rainfall appears in the yield of the Dakota crops. If now we compute compound cycles of eight and four years for the May and June rainfall of the Dakotas, the yield of wheat, oats and barley in the Dakotas, and the yield of wheat, oats and barley in the United States, the major maxima in all three cases occur at about 1882, 1890, 1898, 1906, 1914, with the minor maxima about midway between these dates (see Figures 7 and 8).

The findings of the present paper combined with the results of the earlier studies enable us to conclude that the compound cycles of eight and four years in the annual rainfall of the Ohio Valley, the May and June rainfall in the Dakotas, the yield of cotton in the United States, the yield of wheat, oats and barley in the Dakotas, in the United States, in the United Kingdom and in France are, as far as concerns the dates of their maxima and minima, practically synchronous.

HENRY L. MOORE.

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[1] *Journal of the Royal Statistical Society*, May, 1919.

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APPENDIX

TABLE A

THE OFFICIAL MONTHLY ESTIMATES OF THE CONDITION OF THE GROWING CROPS IN NORTH DAKOTA

Year	Condition of the Crops								
	Wheat			Oats			Barley		
	June 1	July 1	August 1	June 1	July 1	August 1	June 1	July 1	August 1
1892 ..	92	90	85	90	92	91	89	90	90
1893 ..	92	73	66	94	77	75	96	81	78
1894 ..	97	68	75	100	65	70	102	77	68
1895 ..	99	102	104	90	121	94	84	92	102
1896 ..	103	96	70	92	93	81	95	82	78
1897 ..	91	95	90	88	87	86	92	91	91
1898 ..	104	92	95	100	95	92	100	99	91
1899 ..	93	94	86	94	95	88	95	93	94
1900 ..	79	30	25	82	28	27	79	31	28
1901 ..	91	100	93	91	98	96	90	94	96
1902 ..	96	96	93	96	96	95	98	97	95
1903 ..	99	73	69	97	73	64	99	76	63
1904 ..	94	95	90	93	94	94	94	95	93
1905 ..	95	92	91	94	93	95	94	92	93
1906 ..	95	93	88	95	96	93	94	95	92
1907 ..	90	88	72	89	89	75	90	89	81
1908 ..	97	93	75	98	94	73	96	94	74
1909 ..	98	95	93	96	94	92	96	93	90
1910 ..	93	45	34	90	42	27	88	45	23
1911 ..	95	88	60	95	84	58	95	84	71
1912 ..	96	92	94	96	91	94	94	90	92
1913 ..	91	70	68	92	71	71	92	72	71
1914 ..	94	94	81	93	94	84	92	93	80
1915 ..	94	93	95	94	92	95	93	90	94
1916 ..	86	88	62	89	90	77	87	91	74
1917 ..	86	73	55	85	75	52	83	74	55
1918 ..	93	85	73	92	85	71	93	87	77

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TABLE B

YIELD PER ACRE OF THE CROPS IN NORTH DAKOTA

Year	Yield per Acre in Bushels		
	Wheat	Oats	Barley
1892	12.2	26.5	24.3
1893	9.6	21.9	15.2
1894	11.8	25.9	20.0
1895	21.0	32.1	30.4
1896	11.8	22.0	16.1
1897	10.3	23.0	22.5
1898	14.4	30.7	26.4
1899	12.8	30.0	24.0
1900	4.9	10.3	8.2
1901	13.1	32.6	28.2
1902	15.9	38.4	31.6
1903	12.7	27.4	21.6
1904	11.8	37.4	28.1
1905	14.0	38.9	28.0
1906	13.0	32.5	25.8
1907	10.0	24.5	18.3
1908	11.6	23.4	19.5
1909	13.7	32.0	21.0
1910	5.0	7.0	5.5
1911	8.0	23.5	19.5
1912	18.0	41.4	29.9
1913	10.5	25.7	20.0
1914	11.2	28.0	19.5
1915	18.2	40.0	32.0
1916	5.5	21.5	15.5
1917	8.0	15.0	12.5
1918	13.0	23.5	21.5

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TABLE C

THE WEATHER IN NORTH DAKOTA. TEMPERATURE (DEGREES FAHRENHEIT) AND RAINFALL (INCHES)

Years	April		May		June		July	
	Temperature	Rainfall	Temperature	Rainfall	Temperature	Rainfall	Temperature	Rainfall
1892..	37.6	2.65	46.6	2.21	60.5	3.55	68.7	3.23
1893..	34.3	1.73	52.2	1.61	67.4	3.38	69.5	2.04
1894..	42.8	3.06	54.6	1.51	68.8	3.44	71.7	0.53
1895..	49.6	2.23	54.4	2.48	59.7	4.67	66.1	2.90
1896..	40.1	4.37	56.9	4.89	65.6	3.80	67.5	1.59
1897..	40.8	1.01	55.4	0.71	61.7	3.75	68.9	4.43
1898..	41.9	1.38	52.7	1.98	62.6	3.19	67.6	2.49
1899..	38.0	1.36	50.6	3.49	62.2	3.81	68.3	2.34
1900..	49.3	0.75	50.2	0.69	66.9	1.39	67.9	2.25
1901..	44.5	0.98	60.0	0.31	61.6	6.16	70.8	4.28
1902..	40.2	1.06	55.9	3.57	58.0	3.65	67.6	2.15
1903..	42.5	1.23	54.3	3.08	62.4	1.44	66.7	2.23
1904..	37.4	1.70	54.2	1.76	61.4	5.77	64.4	2.49
1905..	40.2	0.63	50.1	3.05	59.7	4.52	65.6	3.90
1906..	46.7	1.50	50.8	4.63	62.0	4.06	66.9	1.97
1907..	31.9	0.57	44.0	1.11	61.9	2.85	65.8	3.14
1908..	43.9	1.47	50.8	2.97	60.4	3.37	68.6	2.10
1909..	34.2	0.81	51.0	4.29	62.9	2.21	67.1	2.89
1910..	48.0	1.30	50.7	0.96	67.3	1.83	70.0	1.60
1911..	41.5	1.30	55.0	2.88	66.9	3.12	65.1	1.82
1912..	44.4	2.34	54.2	4.52	61.8	2.05	66.0	3.54
1913..	46.8	0.71	51.2	1.68	65.8	2.35	65.6	2.30
1914..	40.9	1.66	55.2	2.12	62.2	6.26	72.1	2.31
1915..	50.3	1.08	51.1	3.16	56.7	5.00	62.3	3.01
1916..	39.2	1.40	51.0	2.22	58.0	3.89	73.1	3.16
1917..	37.2	1.68	51.2	0.30	59.7	2.09	70.9	1.66
1918..	41.4	2.15	51.7	2.30	63.3	1.63	65.5	2.71

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TABLE D

DATA RELATING TO THE MEAN MONTHLY RAINFALL IN THE DAKOTAS AND TO THE INDEX NUMBER OF THE YIELD PER ACRE OF WHEAT, OATS, AND BARLEY IN THE DAKOTAS AND IN THE UNITED STATES

Year	Monthly Rainfall in the Dakotas May and June (Inches)	Index Number of Yield per Acre	
		The Dakotas	United States
		Deviations from trend	Deviations from trend
1882	3.63	−18.0	+ 3.5
1883	3.14	+19.8	+ 0.1
1884	2.17	+16.8	+ 6.1
1885	3.30	+13.0	− 3.3
1886	2.11	− 9.0	+ 1.4
1887	2.46	+ 4.0	− 4.9
1888	3.83	− 9.4	− 4.6
1889	1.81	−32.8	+ 5.5
1890	3.88	−16.1	−13.3
1891	3.41	+34.9	+14.7
1892	3.81	+ 6.9	+ 0.3
1893	2.37	−21.2	− 9.5
1894	2.16	−31.6	− 7.6
1895	3.50	+24.1	+ 9.4
1896	3.81	+ 0.4	− 3.7
1897	2.27	−11.3	+ 1.2
1898	2.96	+13.9	+ 2.5
1899	3.83	+ 5.6	+ 2.0
1900	1.39	−46.4	− 7.0
1901	3.66	+14.0	+ 1.5
1902	3.30	+31.6	+15.3
1903	2.89	+17.7	− 1.1
1904	3.51	+19.1	+ 2.8
1905	4.80	+29.4	+ 8.8
1906	4.28	+18.7	+ 9.0
1907	2.92	−12.9	−11.5
1908	4.07	− 7.2	− 8.8
1909	3.86	+ 3.2	+ 0.6
1910	1.67	−45.2	− 5.8
1911	2.38	−51.8	−21.4
1912	2.60	+29.9	+15.6
1913	2.50	−17.1	− 5.5
1914	4.14	− 9.1	+ 1.0
1915	4.28	+46.8	+20.7
1916	3.46	−23.9	−13 7
1917	1.91	− 9.6	− 0.6
1918	2.51	+23.8	+ 4.1

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DURKHEIM'S CONTRIBUTION TO THE RECONSTRUCTION OF POLITICAL THEORY

IN few matters is there a greater degree of unanimity of opinion among students of politics and sociology than exists with respect to the fundamental cause of modern political stupidity, corruption and inefficiency. It is not often questioned that the chief reason for the existence of this deplorable state of affairs is the general indifference shown by the public, particularly by its more intelligent members, toward political questions and practical administration. Most of the present plans for a thorough-going reconstruction of modern political life have as their dominant purpose the increase of popular interest in political life, in the better sense of that term. The two most promising programs which have been put forth are the proposal to increase the scope and importance of local government,[1] and the more radical plan for substituting direct representation of economic and professional interests in political parties and parliamentary institutions for representation on the basis of territory and population which was introduced by Rousseau.[2] One of the most suggestive contributions to this latter mode of solution has come from the pen of Émile Durkheim, in whose recent and premature death sociology has suffered the most severe loss which it has ever sustained.

General Sociological Theories

Émile Durkheim (1858–1917), the most erudite and critical of French sociologists, was born in 1858. After the completion of his education in 1882 he became a teacher of philosophy in several French "lycées." In 1887 he joined the faculty of the University of Bordeaux, where he gave the first course in sociology offered in a French university. After 1902 he

[1] By Graham Wallas and Le Play, from quite different points of view.

[2] A view supported with great vigor by Gumplowicz and Ratzenhofer in Austria, by Gierke in Germany, by Duguit and Benoist in France, by Maitland and Figgis in England and by Bentley and Small in America.

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was a member of the faculty of the University of Paris, giving instruction in sociology and the science of education. Unlike most French sociologists he followed an exclusively academic career. His rise to one of the highest professorial positions in his country, in spite of racial prejudice and the opposition of the vested educational interests, is a high testimonial to his rare intellectual powers. Like Professor Hobhouse in England, he was one of the few sociologists who brought to bear upon the study of society a large amount of information in philosophy, ethnology and the special social sciences. Owing to the diametrical opposition of the most fundamental propositions of their sociological systems, there always existed an interesting but unfortunate intellectual feud between Durkheim and Tarde. The quarrel was regrettable, for the system of each writer was weakest in the very department in which his adversary excelled, and both would have gained by collaboration.[1]

[1] Quite in accord with his doctrine that a general synthesis of sociological principles is either impossible or would at the present stage of our information be premature, Durkheim published no systematic treatise on sociology. His first work and his most important contribution to the subject matter of sociology was his *De la division du travail social*, first published in 1893. In this he develops his conception of the two opposing types of social solidarity and traces the causes and methods of the transition from the one to the other. His second work in the sociological field was entitled *Les règles de la méthode sociologique*, first published in 1895. This expands his idea of "exteriority" and "constraint" as the criteria of social phenomena and more especially formulates the laws to which a sociological system of investigation should conform. His third work, *Le suicide*, first published in 1897, studies this abnormality primarily as a social phenomenon amenable to cure by social agencies. His last and longest work, *Les forms élémentaires de la vie religieuse*, published in 1912, is the most pretentious strictly sociological study of religion which has yet appeared, and whatever its defects in methodology or interpretation, the most severe critics admire its display of erudition and mental power. This is the only one of Durkheim's works of which an English translation has appeared. In connection with it should be read A. A. Goldenweiser's masterly critique in the *Journal of Philosophy, Psychology and Scientific Methods*, March, 1917. In addition, Durkheim has since its foundation been the editor-in-chief of *L'Année Sociologique* (1898–), the most authoritative of all reviews devoted to sociological literature. A complete bibliography of Durkheim's books and articles is given in C. E. Gehlke, Émile Durkheim's Contributions to Sociological Theory, pp. 185–8. An appreciation of Durkheim's significance as a sociologist is to be found in the article by V. V. Branford, "Durkheim, A Brief Memoir," in the *Sociological Review*, 1918, and a more thorough discussion in the article by Maurice Halbwach's, "La doctrine de Émile Durkheim," in the *Revue philosophique*, 1918. Much of great value can be found in Harold Höffding's review of *La vie religieuse*, in *La revue de métaphysique et de morale*, 1914, pp. 828–848.

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Sociology, according to the view held by Durkheim, is more a system or a methodology of investigation of social phenomena, permeating all the social sciences, than any definite and independent body of knowledge. It is distinguished primarily by its synthetic and scientific method, and it is the fundamental task of the sociologist to infuse into the special social sciences this method of procedure. This would prevent the social sciences from being detached, isolated or *à priori* bodies of knowledge and would weld them all into a coherent system and allow them to contribute to their mutual improvement. Though there may be in the future a place for "general sociology," in the sense in which this word is used by Professor Giddings and others, its data must be provided in advance by the special social sciences, and their development has not as yet been sufficient to make them competent to fulfil this function.[1]

The fundamental basis of Durkheim's interpretation of social phenomena is to be found in his criterion for the determination of such facts or phenomena. The distinctive characteristic of a social fact is two-fold. It is an influence which comes from the social environment which is exterior to, but includes the individual, and it has the power of constraining the individual in spite of his own will.[2] The explanation of this power of constraint by society over the individual is to be found in Durkheim's views on social psychology.[3] According to him,

[1] C. E. Gehlke, Émile Durkheim's Contributions to Sociological Theory, chap. v. This work is the standard exposition of Durkheim's system. It is an excellent and scholarly study not only of Durkheim's sociological thinking but of his whole system of thought. For a concrete expression of Durkheim's conception of the scope of a proper system of sociological knowledge one should consult the schematic arrangement of topics in the *Année Sociologique*, a sample of which is given in Gehlke, *op. cit.*, pp. 122–4.

[2] Social facts "consistent en des manières d'agir, de penser et de sentir, extérieures à l'individu, et qui sont douées d'un pouvoir de coercition en vertu duquel ils s'imposent à lui." Durkheim, *Les Règles de la méthode sociologique*, 3rd ed., Paris, 1904, p. 8. Or, looked at from another point of view, "une fait social se reconnait au pouvoir de coercition externe qu'il exerce ou est susceptible d'exercer sur les individus." *Ibid.*, p. 15.

[3] Gehlke analyzes Durkheim's psychology, *op. cit.*, pp. 93 *et seq.* Durkheim's best presentation of his own views is to be found in an article entitled "Représentations individuelles et représentations collectives," in *La revue de métaphysique et de morale*, vol. vi, 1898.

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the social mind is exterior to, superior to, and independent of the individual mind, strictly considered. While the social mind, of course, could not exist without the minds of the component individuals, it is, like a chemical compound, a new product resulting from the interaction of the minds of the associated individuals within the group. Even the main categories of thought—time, space, kind, force and causation are of a social origin. If these premises are accepted,[1] one can readily admit with Durkheim that the social mind will exert an all-powerful constraining influence over the mind of the individual. In fact, Durkheim regards the latter chiefly as a mere receptacle for receiving and coloring impressions from the social mind. Gehlke summarizes this vital point in Durkheim's theory as follows:

> The individual mind furnishes the sensation elements, the impulses to activity, the emotional tendencies, and some representations; the social mind furnishes the great mass of the representations, of the ways of feeling and the ways of acting. These social representations must exist within the individual mind, but their origin is outside of the individual mind, to which they come with force, impressive because of the varied superiority of the source whence they spring, over the source of the individual representations. In its most extreme form this view makes of the mind or soul of the individual merely the incarnation of the social mind in the individual.[2]

Against Tarde, Durkheim argues that all innovations come through the action of the social mind and not from individual inventions spread by imitation.[3] Innovations are frequent in proportion as the number of persons in the social group (*i. e.*, its volume) is great, and as the population is psychically concentrated (*i. e.*, has a high degree of density).[4] Durkheim's theory of the social process thus comes very near to being a mechanistic interpretation in which the element of conscious

[1] The psychological basis for these assumptions, which cannot be dwelt upon in this place, are well presented by Gehlke, *op. cit.*, pp. 20–54; see also *Les formes élémentaires de la vie religieuse* (English translation by J. W. Swain, pp. 9 *et seq.*).

[2] Gehlke, *op. cit.*, p. 54.

[3] *Ibid.*, pp. 58–68.

[4] *Ibid.*, pp. 71 *et seq.*

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direction is eliminated.[1] Again, Durkheim's theory of the reality and independence of the social mind makes him psychologically, if not philosophically, a social realist.[2]

If the group mind in this manner constrains the individual mind, it naturally follows that social control is effected mainly by the solidarity or cohesion which is thus maintained. Now this social solidarity or cohesion is of two main types: mechanical or repressive and organic or functional. The mechanical or repressive type of social solidarity, which is the more crude and primitive of the two, grows out of the constraining force of the social mind—the collective consciousness. This type is particularly characteristic of primitive society with its rigid customs, taboos and traditional practices.[3] Its strength varies with the volume, intensity and definiteness of the states of the collective consciousness, as compared with the individual consciousness.[4] Social evolution is characterized by a decrease in this repressive and mechanical type of social cohesion or solidarity and by a corresponding increase in the development of individual consciousness and personality. To maintain an adequate degree of social pressure and control, however, it is necessary that some other more advanced type of solidarity should evolve to replace this declining mechanical solidarity. This is to be found in the principle of organic or functional solidarity which is based upon growing social specialization and the division of labor. This process tends to develop in proportion as the earlier type of solidarity gives way and makes room for the development of the succeeding form. The groupings in society undergo a corresponding transformation, changing from a kinship basis to a territorial and finally to the highest of all types—the functional or professional grouping.[5]

If, however, this later and more advanced type of organic

[1] Gehlke, *op. cit.*, p. 75.

[2] *Ibid.*, pp. 85 *et seq.*; Bristol, *Social Adaptation*, pp. 138–145.

[3] Gehlke, *op. cit.*, pp. 156 *et seq.*; Durkheim, *De la division du travail social* (ed. of 1893), pp. 73–117; *La vie religieuse*, passim.

[4] Gehlke, *op cit.*, pp. 160–161.

[5] Gehlke, *op. cit.*, pp. 162 *et seq.*; Durkheim, *De la division du travail social*, pp. 118–141, 158–217.

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or functional solidarity is prevented by external or artificial interference from developing in proportion to the decline of the repressive solidarity, social cohesion and social control will be weakened and abnormal conditions will arise in society. Now it is owing to this very condition of a hampered and restricted growth of organic solidarity in society that there are at present so many pathological types of social organization and so many symptoms of social disintegration and anarchy as well as of individual degeneration. The individual, accustomed since the appearance of the race, to the external and authoritative control of society, finds it hard to adjust himself to the extremely complicated relations of modern social life, and the functional solidarity of society either has not developed enough as yet to furnish the necessary guidance for the individual, or else it has assumed such repugnant, forced and unnatural forms that the individual rebels against it. We have, thus, in modern society the growing prevalence of suicide, crime, the antagonism of capital and labor, social anarchy and general social maladjustment.[1] This being the case, the abnormal conditions of modern society can be remedied only by strengthening the functional type of social solidarity, based upon the division of labor, and by making it possible for it to assume more adequate and equitable forms. This much-needed policy of social reconstruction can best be accomplished by increasing the importance of the modern occupational group. This group is the one which, next to the family, possesses the greatest amount of interest and importance for the individual. Since the family is too narrow and unstable a group upon which to base a firm and comprehensive system of social and political control, it is to an improvement of the occupational group that the practical reformer should direct his efforts, if he would eliminate the more threatening of the abnormal conditions in modern society. The occupational group is not only well adapted to enforce an adequate type of social control, but its control is likely to be more agreeable to the individual than the authority now in-

[1] Gehlke, *op. cit.*, pp. 167 *et seq.*; Durkheim, *op. cit.*, pp. 395–445, and *Le suicide*, passim.

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adequately exercised by the state, in that the individual can always be much more conscious of his interests in this group.[1] This last point leads directly to Durkheim's political theories which are based upon the proposal to strengthen the occupational group at the expense of the economic functions of the state, and to make it the basis of representation in the law-making body.[2]

Specific Political Theories[3]

At the outset Durkheim states the problem which constitutes the most pressing necessity for political reform. It is to be found in the need for providing some remedy for the present anarchical conditions which exist in economic affairs, particularly in the industrial relations between employer and employee. While there is at least a rudimentary professional morality among lawyers, magistrates, soldiers, professors, clergymen and physicians, there is practically no semblance of fixed cus-

[1] Gehlke, *op. cit.*, pp. 171 *et seq.*; Durkheim, *Le suicide*, pp. 434 *et seq.*, *De la division du travail social*, 2nd ed., 1902, preface.

[2] It will be evident to students of modern social theories that Durkheim's position is an interesting combination of a sort of capitalistic syndicalism and something like the gild socialism of the German Catholic social reformers, Ketteler and Hitze, and of recent English theorists like Cole, Orage and S. G. Hobson with the "solidarism" of Gide and Bourgeois and the theory of the representation of interest groups of Gumplowicz, Ratzenhofer, Duguit and Bentley. *Cf.* C. D. Plater, Catholic Social Work in Germany; G. H. D. Cole, Self-Government in Industry; Gide and Rist, History of Economic Doctrines, pp. 587–614; A. F. Bentley, The Process of Government.

[3] Durkheim's brief but trenchant political doctrines are to be found in the latter part of his work, *Le suicide*, and in the preface to the second edition (1902) of his *De la division du travail social*. While they are specifically concerned with providing a remedy for the increase of suicide and with improving the organic or functional solidarity of society, they are highly pertinent as suggestions for general political reform and represent one of the most advanced and satisfactory positions taken on this subject by a sociologist. Owing to the fact that the second edition of *De la division du travail social* is often unavailable, the footnote references are to the reprint of the preface of this edition together with that of the latter portion of *Le suicide*, which is published in the volume on Durkheim by G. Davy in the series *Les grands philosophes, francais et étrangers*, Paris, Louis-Michaud, 1911. These two selections are entitled "Conséquences practiques de la sociologie." The passage from *Le suicide* appears on pages 193–199 and the preface of *De la division du travail social* on pages 199–220. For a brief analysis of Durkheim's political theories, see Gehlke, *op. cit.*, pp. 171–176.

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toms or a moral code to guide the vast mass of industrial activities and relations of the present time. The rights and relations of employer and employee and of both with the public, when not regulated in an arbitrary manner by the state, are settled, without any attempt at uniformity of procedure or any regard for equity of principle, according to the relative strength in each instance of the parties involved and the methods best adapted to any particular case. The party that is vanquished by force is filled with resentment and awaits the opportunity for revenge. Modern industrial life is thus, in reality, what Hobbes imagined the state of nature to be, namely, a condition of economic warfare.[1]

The reason why this state of non-moral or immoral and unregulated relations and activities in the economic world is so serious at present is that modern society has come to be primarily industrial in its foundations. The Industrial Revolution has wrought a great transformation in the relative significance and complexity of the spheres of human activity, and the industrial realm has now become preponderant in its influence and importance. The scientific sphere is its only serious competitor, and the most influential aspects of even modern science are those which are related to industry and known as "applied science." The most important domain of modern life is, therefore, "en dehors de toute action morale." The situation is rendered even more deplorable because the absence of a proper legal and moral regulation of economic affairs has inevitably reacted upon society as a whole, lowering public morality in general and inducing symptoms of social anarchy.[2] Under existing conditions of social control there is, then, the alternative of leaving the most important aspect of the life of the average man without moral or legal regulations or of proceeding to regulate it by the action of the state. But the state can secure competent legislation only on general principles and its massive and slow-moving machinery is very ill adapted to dealing with the highly specialized industrial activities and re-

[1] Durkheim, *loc. cit.*, pp. 200–201.

[2] *Ibid.*, pp. 201–2, 217–18.

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lations of the present day.[1] As a result of this lack of adaptability of the state to fulfil this regulative function in industry, there is a constant oscillation between an excess of inexpert regulation and a condition of partial anarchy.[2]

The only way to solve this difficulty in a rational and permanent manner is to constitute a regulating body separate from the state, though subject to its general supervision, which shall possess legal authority and shall have enough plasticity and adaptability to variation and complexity to be able to deal successfully with the specialized problems of modern industrial life.[3] Such a regulative organ must not only possess the quality of plasticity and adaptability to complex and diverse conditions, but it must also be able to enlist the loyalty and respect of both employer and employee and be equipped with the specialized knowledge essential to an adequate regulation of economic activities.[4]

The modern occupational group is the only organization that fulfils, or has the potentiality of fulfilling, these conditions.[5] These secondary groups, interpolated between the individual and the state, are, on the one hand, general enough to allow their policy to be regulated intelligently by the state, and, on the other hand, possess the detailed knowledge and the flexibility which enables them to comprehend the diverse needs of specialized industrial interests and to minister to these needs in an expert manner.[6] Again, the occupational group is well de-

[1] "L'État est trop loin de ces manifestations complexes pour trouver la forme spéciale qui convient à chacune d'elles. C'est une lourde machine qui n'est faite que pour des besognes générales et simples. Son action, toujours uniforme, ne peut pas se plier et s'ajuster a l'infinie diversité des circonstances particulières." *Ibid.*, pp. 194–5.

[2] *Ibid.*, p. 195.

[3] "Le seule manière de résoudre cette antinomie est de constituter en dehors de l'État, quoique soumis à son action, un faisceau de forces collectives dont l'influence régulatrice puisse s'exercer avec plus de variété." *Ibid.*

[4] *Ibid.*, pp. 202–3, 216–17.

[5] *Ibid.*, pp. 195, 203. Durkheim uses the term "groupe professionnel," but the special meaning usually attached to the term "professional" makes "occupational group" the better rendering of his meaning.

[6] *Ibid.*, pp. 194–5, 202–3, 216–17.

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signed to attract the respect and loyalty of employers and employees. It is active at all times, and its influence extends over wide areas and comprehends the majority of the interests of all parties.[1] Finally, the occupational group would be able to deal satisfactorily with the delicate matters of mutual aid and insurance among its members, which are in need of development, but which it would be unwise to entrust to the control of the state, already overburdened and demonstrated to be relatively incompetent in such matters. It could adjust the highly specialized problems connected with the technical administration of the affairs of each profession and the conflicts which arise between different professions or between the members of the same profession. Both industry and science are becoming daily more highly specialized and subdivided, and, as they require a regulating organ which is equally specialized, the state is becoming constantly more incompetent in the premises.[2]

Some writers and statesmen oppose the further development of the occupational group on the ground that it will be merely a revival of the exclusiveness and corruption of the Roman sodalities or the medieval gilds. To allay this fear, Durkheim gives a brief sketch of the history of corporations to show their past services and the necessary changes which their organization would have to undergo to adapt it to modern conditions. In Rome the occupational groups were under distinct disadvantages. They had no legal standing and shared in the general prejudice of the Romans toward any type of industry save agriculture.[3] In the medieval period conditions were different, for corporate occupational groups were then not only possessed of almost monopolistic control of all industry but also, as a rule, controlled the government of the towns. They were the real cornerstone of medieval society. Their one defect was that, being a product of a narrowly local and exclusive economy, they were unable to adjust themselves to the national economy which followed the Commercial Revolution, and, as a result, they became a barrier to industrial and social progress.[4] The

[1] Gehlke, *op. cit.*, pp. 194-5.
[2] *Ibid.*, pp. 195-6.
[3] *Ibid.*, pp. 205-7.
[4] *Ibid.*, pp. 207-11.

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national state, which succeeded the occupational corporation as the chief regulator of industry, was fairly successful in the transitional period when industry was still crude and partially undeveloped. Since the beginnings of the Industrial Revolution, however, the state has become progressively more unfitted to deal with the problems of industry with their growing specialization and complexity. It was the great service of the classical economists and their followers to point out this incompetence. Nevertheless, the failure of the older type of industrial corporation and of the modern state to regulate industrial activities does not imply that these basic aspects of modern life must remain in an unregulated or anarchical condition or must submit to the clumsy and inefficient regulation of the state, and Durkheim presents in an outline form his plan for putting industry under the immediate control of specialized quasi-political occupational groups.

At the outset, Durkheim explains that he has no intention of dogmatizing about the administrative details of his scheme, but simply desires to formulate his general propositions and leave the details to be worked out by experience.[1] Unfortunately, at present, the occupational groups are little more developed than industrial morality and regulation. The only crude approximation to such a group is to be seen in the syndicates of French employers and workmen, which may be regarded as the first rough beginnings of occupational organization—the germ of the future system. But as these syndicates are merely private organizations, unrecognized by law and vested with no legal powers, they have no authority to regulate industrial relations. Not only are there a large number of isolated syndicates in each industrial category, without power of giving unity to the action of the whole, but even the syndicates of employers and employees have no fixed mutual relations based upon equitable contracts. The struggles between them are settled by force, so that their relations are like those of autonomous states of

[1] "L'oeuvre du sociologue n'est pas celle de l'homme d'état. Nous n'avons donc pas à exposer en détail ce que devrait être cette réforme. Il nous suffira d'en indiquer les principes généraux tels qu'ils paraissent ressortir des faits qui précedent." *Ibid.*, p. 212.

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different degrees of strength. What is needed, as the first step in advance, is to unify the syndicates of workmen and the syndicates of employers in each industrial category, give each the legal authority to regulate its own activities under proper state supervision, and provide for a proper adjustment of the relations between the syndicates of labor and capital. The most important fact in regard to the modern syndicate and its future utility is not its present crude and undeveloped condition, but rather that it alone of all types of modern social organization gives evidence of possessing potentialities which can be developed into a proper organ for regulating and controlling the diverse activities and relations of modern industrial life.[1]

The history of the industrial corporations of the past has demonstrated conclusively that the framework of the occupational grouping must be in harmonious accord with the general lines of the organization of economic life. The lack of adjustment between the two was the cause of the disappearance of the gilds. To meet the present conditions the occupational group should be nation-wide and vested with legal powers. At the present time, it could not exist as a legal institution beyond the boundaries of each state, but the various national organizations could enter into extra-legal relations and agreements. This national organization of each occupation would not prevent subordinate organizations of the occupational groups in each locality and would, thus, permit the existence of both efficient regulation and diversified interests and development.[2] As to the relation of the various national occupational organizations to the state, the general principle would be that the government should formulate the basic rules for industrial regulation and delegate to the occupational group the function of diversifying and applying them to the particular needs of the individual industry. This function of proper diversification and specialization of industrial regulation, which the state cannot perform, is the vital rôle of the occupational group.[3] This

[1] Gehlke, *op. cit.*, pp. 194, 199, 203–5. [2] *Ibid.*, pp. 212–13.

[3] "Les deux organes (*i. e.* state and occupational group) en rapport doivent rester distincts et autonomes; chacun d'eux a ses fonctions dont il peut seul s'acquitter. Si c'est aux assemblées gouvernementales qu'il appartient de poser les principes gén-

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arrangement thus provides for the best employment of the activity of the state and the subordinate corporation. The former can impart the necessary uniformity and stability to the system, while the latter can supply the equally essential need of plasticity, specialized knowledge and sympathetic interest in its task.

In each industry there should be occupational groups of both workmen and employers. These organizations should be independent and should determine their policy independently within each organization. Both should elect representatives to the industrial tribunal which is to apply the general regulations imposed by the state to the special needs of the industry in question. The proportion of representatives which should be allotted to workmen and employers in this tribunal would have to be determined by the opinion of the public (presumably to be expressed through the action of the government) as to the relative importance of each.[1] These occupational groups would not only perform indispensable administrative and juridical functions but would tend to produce the highly essential moral and social environment which is so much needed in modern industry. They would doubtless provide for the development of the fraternal activities, the mutual aid, the education, the aesthetic life and recreation of their members. Even the present-day syndicates show tendencies in this direction.[2]

There is every reason to believe that the occupational group should also succeed the territorial district as the fundamental political unit—the elementary division of the state. Such an arrangement would have everything in its favor. It would permit of a much more efficient expression and a franker recognition of the different interests with which the government is concerned than the awkward and antiquated system of territorial and personal representation. It seems to be a vital law of social evolution that progress is characterized by a continual

é reaux de la législation industrielle, elles sont incapables de les diversifier suivant les d ifferentes sortes d'industrie. C'est cette diversification qui constitue la tâche propre de la corporation." *Ibid.*, p. 213.

[1] *Ibid.*, p. 213, note.

[2] *Ibid.*, pp. 214–15.

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substitution of the functional organization of a society for the territorial or segmentary type of organization.[1] It is certain that the extra-domestic interests of the average modern man are centered primarily in the activities of his occupational group and that his territorial or local loyalty or interest is constantly on the decrease. The idea of territorial representation is a heritage from the agricultural or municipal society of the past, when interest in one's locality meant the same thing as interest in his occupation. Of course, the territorial basis of social grouping would not lose all its significance, but it would not retain its present unjustifiable preponderance. Each national occupational group would have subordinate local organizations, and these local subdivisions of the national organizations would have important mutual interests and relations. Finally, the mere fact of territorial contiguity would retain a certain sentimental importance.[2]

Though it would be extravagant to hope that the carrying into execution of this program of occupational organization of existing society would be a universal panacea for the remedying of all social maladjustments, it is scarcely an exaggeration to say that it is the most important and the most immediate step which needs to be taken to solve our present problems. Nothing else can be substituted. Even if wealth were to be equally divided among the members of society, there would still have to be some regulating organ to adjust industrial relations.[3] Many people prefer to allow the present anarchical condition to continue on the ground that the proper regulation of industry can be accomplished only by a sacrifice of individual liberty. This position is based upon the thoroughly antiquated and discredited notion that there is an antithesis between liberty and authority, for, in reality, there can be no liberty without authoritative control.[4]

[1] In Professor Giddings' terminology, a growth of the social constitution at the expense of the social composition.

[2] *Ibid.*, pp. 214–17, note. In this way Durkheim would bring his program into harmony with those favoring the development of local government.

[3] *Ibid.*, pp. 218–20.

[4] "Rien n'est plus faux que cet antagonisme qu'on a trop souvent volu établir

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Lest Durkheim be erroneously accused of advocating syndicalism, in its present connotation, it might be well to point out the main differences between his program and that advocated by syndicalists. Durkheim condemns the class struggle and revolutionary ideas of the syndicalists. He retains the state as the chief political organ of society, but he limits its power in regard to industrial conditions to that of general supervision. Furthermore, he would retain the wage-system, properly safeguarded. Again, he recognizes the necessary function of the capitalist and the entrepreneur and gives to each a proper place in his new organization of industry. In short, Durkheim has little in common with the revolutionary aims and crude methods of syndicalism, but he shares with it the belief in the fundamental utility of the functional organization of society.[1]

Further, while there are important resemblances, Durkheim's plan differs radically from gild socialism in many respects. While gild socialism is now chiefly associated with the exposition of the doctrine by G. H. D. Cole and a number of associates, it is really a much older development. Much of its program was anticipated by Phillippe Joseph Buchez in the middle of the last century and was accepted by the English Christian Socialists and by John Ruskin. Its theory and practical principles were worked out much more systematically in the next generation by the German and Austrian Catholic reformers, Bishop von Ketteler, Franz Hitze and Karl Lueger. Later it was accepted in France by Albert de Mun and the *action libérale*. From continental Europe it was taken to England by Hilaire Belloc and Cecil Chesterton. Working under the influence of these latter writers and the developments of French syndicalism, a number of English writers, especially G. H. D. Cole, A. R. Orage and S. G. Hobson, have given the notion its

entre l'autorité de la règle et la liberté de l'individu. Tout au contraire, la liberté (nous entendons la liberté juste, celle que la société a le devoir de faire respecter) est elle-meme le produit d'une réglementation. Je ne puis être libre que dans la mesure ou autrui est empêché de mettre à profit la supériorité physique, économique ou autre dont il dispose pour asservir ma liberté, et seule la règle sociale peut mettre obstacle à ces abus de pouvoir." *Ibid.*, p. 201.

[1] Gehlke, *op. cit.*, pp. 176–8.

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very recent publicity in the English-speaking world. Briefly, the gild socialists propose to hand over the control of the interests of citizens as consumers to the present political organization, though perhaps modified in detail, while autonomy for industrial production will be assured through turning over its direction to "gilds" or organizations of workingmen. Above both state and gilds will be a representative council chosen by and from the groups of consumers and producers. In its thorough-going form it would carry with it an abolition of the capitalistic wage system. Durkheim's proposal would provide for a greater amount of autonomy and self-government for productive industry and for a form of industrial organization similar to the gilds, but here the resemblance ceases. He would retain the capitalistic wage system, and, contrary to the principles of gild socialism, would allow the employers to be represented in the industrial corporations. His whole program savors of *solidarism* more than of a thorough-going proletarian program of reconstruction. His aim is to bring about a restoration of social and economic *morale* through a strengthening of the functional organization of society, rather than to produce a sweeping reorganization of the whole productive and distributive system. Nor is his state merely or mainly the representative of the citizens as consumers; it retains its general and comprehensive control over all social interests, but with its legislation in industrial matters limited to a laying down of general policies. On the whole, his general program is an interesting capitalistic flirtation with the least dangerous and revolutionary phases of syndicalism and gild socialism.[1]

As Durkheim's political theories are in themselves but a brief statement of principles which he hoped to expand later, there is no need for a summary at this point, but it might be useful to indicate the general significance of his plan and its relation

[1] On these points consult F. S. Nitti, Catholic Socialism; C. D. Plater, Catholic Socialism in Germany; a forthcoming work by P. T. Moon dealing with the *action libérale;* H. Belloc, The Servile State; and G. H. D. Cole, Self-Government in Industry, and Labour in the Commonwealth. A closer resemblance to Durkheim's program than either syndicalism or gild socialism is the British "Industrial Council Plan" submitted by the Whitley Committee in 1917–18.

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to the theories of other sociologists and political scientists. In the first place, little but praise can be bestowed upon his arrangement for dividing the control of industrial relations between the state and occupational groups. It is, perhaps, the only way by which the evils of bureaucracy can be avoided and, at the same time, specialized and expert control of industry secured. Again, his method would avoid a centralized and all-powerful state and yet secure for labor a large degree of authority in regulating its own conditions. It is also difficult to comprehend how valid arguments can be brought against his other and secondary suggestion to make occupational organizations the basis of political representation. The chief arguments against it are based merely upon sentiment and a love of the traditional modes of procedure. The only argument of any weight which can be brought against the proposal is that the representation of so many interests would confuse and delay legislation. The obvious answer to this is that the same interests already exist and are represented in hidden, illegal and extra-legal ways. Durkheim's system would bring the representation of interests frankly into the open instead of compelling it to continue a surreptitious but effective existence in the lobby.[1] All in all, the conception of political representation based upon *interests* seems to be one of the most desirable and promising of proposed political innovations, and one which is receiving the support of an ever-increasing number of thoughtful writers. This conception, however, is by no means new either in theory or in practice. In the ancient world Plato, Aristotle and Polybius understood and advocated the representation of interest groups. A type of representation somewhat analogous but by no means identical characterized the medieval system of estates and the municipal organizations and received a theoretical formulation in the doctrines of the Conciliar Movement. In theory, Althusius advocated a somewhat similar arrangement at the very beginning of the seventeenth century, and Mirabeau revived the notion two centuries later. Recently it has received the support of the French political

[1] *Cf.* Bentley, The Process of Government.

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scientists, Duguit, Benoist and La Grasserie; of the Belgian sociologists DeGreef and Prins; of the Germanic publicist Schaeffle; and of Maitland and Figgis in England. In America, Professor Overstreet, Mr. Laski and Mr. Bentley have supported this conception.[1] Again, the related idea of the state as an organization of various interests, which has a close relation to Durkheim's theories, was the keynote of Gumplowicz's political theory and of Ratzenhofer's monumental *Wesen und Zweck der Politik*, interpreted to America by Professor Small and elaborated by Mr. Bentley. Further, as Durkheim would give his occupational groups a corporate organization, his scheme bears a close similarity to the theory of Gierke, Maitland and Figgis which would make the state a union of lesser corporate groups.[2] Finally, Durkheim's notion of the supremacy of the functional organization of society over the segmentary or territorial organization is in essential harmony with Professor Giddings' contention that civilization is characterized by a constantly increasing subordination of the social composition to the social constitution.[3]

As to the contrasts between Durkheim, Le Bon and Tarde in regard to political theory, Durkheim differs from Le Bon in that the latter can see no good in the syndicalist movement or in the reglementation of industry. Probably he would agree with Durkheim, however, in desiring to limit the intrusion of the state into the details of economic regulation. Tarde argues against the idea that modern industrial life is characterized by an increasing amount of specialization or division of labor.[4] In view of the facts, while one must admit the ingenuity of Tarde's argument, it is difficult not to accuse him of engaging in mere sophistry for the purpose of being at odds with Durkheim. In short, while no one could justly attribute to Durkheim any par-

[1] *Cf.* Dunning, A History of Political Theories from Luther to Montesquieu, pp. 61-67; Garner, An Introduction to Political Science, pp. 469-474.

[2] *Cf.* Barker, Political Thought in England from Spencer to the Present Day, pp. 173-183. Of course, this idea had its germ in the doctrine of Althusius, of whom Gierke was the leading interpreter.

[3] *Cf.* Principles of Sociology, p. 299.

[4] *Cf.* G. Tarde, *Les transformations du pouvoir*, pp. 221-5.

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ticular originality in his political theories, they constitute a constructive synthesis of several of the most promising progressive elements in the reconstruction of political theory and practice and undoubtedly represent in one particular phase one of the most advanced and most satisfactory of sociological positions in regard to political and economic problems.

HARRY E. BARNES.

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THE DEVELOPMENT OF A SYSTEM OF FEDERAL GRANTS-IN-AID I

Introduction

NO question of government has been more vigorously debated than that of centralization *versus* states rights. Nor has this question been one solely of constitutional law and theory, though the legalists have at times made it appear that it was concerned merely with interpretation and legal precedent. Fundamentally, it has involved a problem that is persistent in all government: what is the proper unit to direct policies and administer public services? The American advocates of centralization point to the chaotic and contradictory results which would necessarily occur if forty-eight separate states were given complete jurisdiction and to the futility of state regulation of national problems. The supporters of state action, on the other hand, counter with the argument that it is the inevitable tendency of centralized government in so large, populous and complex a country as the United States to become bureaucratic, top-heavy and encumbered with red tape. Both points of view seem warranted, and the unprejudiced student, legislator or administrator often feels that he is in truth caught between Scylla and Charybdis.

It is the purpose of this paper to outline and describe some relatively unobserved tendencies in American legislation and administration which seem to reconcile the conflicting claims of the centralizers and the states-rights advocates. These tendencies may be discerned in the recent development of an embryonic system of grants-in-aid by the federal government to the states. During the last six years the following acts, which will be described subsequently, have been passed by Congress, providing for such federal aid under certain conditions: (1) the Smith-Lever Act of 1914; (2) the so-called Good Roads Act of 1916; (3) the Smith-Hughes Act of 1917; (4) the Chamberlain-Kahn Act of 1918. Two other measures

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providing for federal aid, the Kenyon Americanization Bill and the Vocational Rehabilitation Bill, are now (May 1, 1920) pending, and if passed, will be discussed in the second part of this article.

The mere fact of federal aid is of course no novelty. Outright gifts for specific purposes have been made by the federal government on many occasions, notably in the distribution of the surplus in 1837.[1] Grants to the states for specific purposes, moreover, have been made by the Morrill Act of 1860, which furnished the basis for the land-grant agricultural colleges, by the second Morrill Act of 1890, by the agricultural experiment acts of 1887 and 1907 and in the form of aid to military schools and to the National Guard of the several states.

What differentiates the measures to be described in this article from those just mentioned is not the fact of federal aid but, first, the supervision by the federal government of the expenditure by the state of these federal grants and the power vested in federal authorities to discontinue such grants if a proper standard of efficiency is not maintained, and, second, the requirement that for every dollar granted by the federal government, the state or localities within the state must appropriate another dollar if the federal grant is to be secured.

The significance and even the existence of this series of acts has been ignored by writers on American government in much the same fashion that English grants-in-aid were ignored prior to 1910.[2] Undoubtedly the new problems presented by the outbreak and ramifications of the World War prevented American scholars from noticing the sudden development in this country of this new type of federal legislation and administration.

The chief reasons for the creation of the federal-aid, or as it might perhaps better be termed, the grant-in-aid system, may be briefly summarized.

[1] It might be urged that the distribution of the surplus was legally more in the nature of a loan than of a gift. If so, the fact remains that no efforts have been made to secure repayment.

[2] See, however, a note by John A. Lapp, "Federal Grants in Aid," *American Political Science Review*, 1916, vol. 10, pp. 738–43.

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(1) There has been a general movement to expand the social functions of government. All of the acts to be discussed are concerned with relatively new functions, affecting vitally the social and economic life of the people. There has been a strong popular demand that some governmental unit take up such questions as good roads, vocational education and assistance to farmers.

(2) It has been realized that reliance upon action by the states for the performance of these functions would involve untold effort in attempting to secure the passage of appropriate acts by the forty-eight different legislatures, protracted delays and an inevitable lack of uniformity among those states which finally took action.

(3) It has been believed that the federal government might not be able constitutionally to perform these new functions directly and that unsupervised and unregulated grants made by it would inevitably result in abuses similar to those of the rivers and harbors appropriation. When government money is given away without restriction, the inevitable tendency is to apportion it on the basis of influence rather than of service and to be wasteful in its expenditure.

(4) The success of the grant-in-aid system in England has had an important effect. Since 1910 the workings and philosophy of the English system have come to be more widely known among students of taxation and administration, chiefly through Mr. Sidney Webb's remarkable little book, *Grants-in-Aid*.[1] This work analyzed clearly the English system, evaluated its good and bad features and presented a constructive proposal of reform.

(5) Another factor has been the development in America of systems of state aid to localities under state supervision and direction, toward which local units were required to contribute in order to avail themselves of the state funds. State aid for local education had existed for a long time in practically every state, while state aid for highway construction was also granted

[1] Sidney Webb, Grants-in-Aid: A Criticism and a Proposal, 1911; see also J. Watson Grice, National and Local Finance, 1910.

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in many states,[1] and state aid for vocational education existed in a few others. There was, therefore, being created in the United States a grant-in-aid system within states. The farmers' organizations, the advocates of industrial education and of good roads, and the legislators, were afforded a model to study and examine at close range.

(6) The fact that many of the states were already engaging in these activities would have made it ridiculous for the federal government to duplicate their efforts by establishing an independent system.

We may now proceed to a consideration of the legislation in which the new system of federal grants-in-aid is embodied.

Federal Aid for Agricultural Extension Work

From 1900 to 1906 certain agents of the Department of Agriculture conducted farm demonstrations by which farmers agreed to grow particular crops under the supervision of the agents. So successful was this experiment that in 1906 several counties in the southern states began to contribute toward the salaries of these agents on condition that the activities of each agent should not be dissipated over a wide territory but confined to the county making the contribution, where he could do more intensive work. The value of this service led other southern counties to contribute toward "county agents," as the representatives of the Department of Agriculture came to be called. In 1912 an appropriation by Congress of $165,000 made it possible to extend the system to the northern and western states.

In 1914 the Smith-Lever bill,[2] which had been drawn up with the aid of representatives of the various agricultural schools, was passed by Congress with little opposition. A study of the debates does not disclose any appreciation on the part of members of Congress of the fundamental changes in governmental policy which the act introduced.

[1] See note by John A. Lapp, "Highway Administration and State Aid," *American Political Science Review*, 1916, vol. 10, pp. 735–38.

[2] H. R. 7951. For the final text of the act, see 38 Stat. L., 372.

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The funds appropriated by the act were declared to be for the purpose of giving "instruction and practical demonstrations in agriculture and home economics to persons not attending or resident in colleges in the several communities." $480,000 was appropriated for the fiscal year 1915–1916 and an additional $600,000, or a total of $1,080,000, for the year 1916–1917; during the seven years following, the appropriation was to be increased by $500,000 per year until in 1922–1923 the amount would be $4,580,000. Thereafter the same amount was to be appropriated annually.

For all except the $480,000 of the annual appropriation, each state was compelled to raise at least one dollar for every federal dollar appropriated in order to receive the federal moneys. The exact amount to be appropriated annually and the amounts which the states were required to duplicate are shown in the following Table.

TABLE I

FEDERAL AID FOR AGRICULTURAL EXTENSION WORK

Fiscal Year.	Amount appropriated which states are not required to duplicate.	Amount appropriated which states are required to duplicate.	Total Appropriation.
1914–15	$480,000		$480,000
1915–16	480,000	$600,000	1,080,000
1916–17	480,000	1,100,000	1,580,000
1917–18	480,000	1,600,000	2,080,000
1918–19	480,000	2,100,000	2,580,000
1919–20	480,000	2,600,000	3,080,000
1920–21	480,000	3,100,000	3,580,000
1921–22	480,000	3,600,000	4,080,000
1922–23	480,000	4,100,000	4,580,000
Each year thereafter	480,000	4,100,000	4,580,000

These sums were to be allotted among the states by the following method: (1) Each of the 48 states was to receive $10,000 which it was not required to duplicate; (2) the annual appropriations to be duplicated were to be allotted to each state in the proportion which the rural population (in localities of less than 2,500) of that state formed of the total rural population in the continental United States.

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The administration of the funds was placed in the hands of the land-grant agricultural colleges of the respective states; none of the money was to be spent for college teaching or for buildings, and the Secretary of Agriculture was given power to withhold a state's allotment if the work given was not up to the standards set. Appeal to Congress could be taken from the decisions of the Secretary, but unless a state was specifically upheld, the funds reverted to the Treasury.

The actual administration of the work in the states has been carried out by officials appointed by the land-grant colleges and approved by the Department of Agriculture. Each state director is required to submit project statements to the Department, showing how he proposes to spend the moneys for which the approval of the Department is required.

In practice, the states and localities have appropriated much more for agricultural extension work than the sums required to duplicate the Smith-Lever grants. Thus in the year 1917–18, the states, counties and colleges spent for this purpose $4,317,000, while their receipts under the Smith-Lever Act were only $1,600,000, or an appropriation of $2,717,000 in excess of the amount necessary to duplicate the federal grants. Since the states in 1914–15 (when they were not required to offset any grants) expended only $2,120,000 for this purpose, it will be seen that they have not only raised the additional sums to offset federal moneys instead of using the amounts then appropriated as offsets, but have actually increased the amounts which have always been outside the act.[1]

The act specified that the federal funds were to be duplicated by the "states, county, colleges, local authority or individual contributions." The following Table shows the amounts derived from the various sources to complete the state's quota for the fiscal year 1917–18.[2]

[1] The statistics in this paragraph have been derived from data on page 12 of a pamphlet issued by the Department of Agriculture, States Relations Service, "Co-operative Agricultural Extension Work." Doc. 40.

[2] Derived from data given in S. R. S. Doc. 40, *op. cit.*, p. 7.

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TABLE II

SOURCES FROM WHICH QUOTA OF STATES FOR AGRICULTURAL EXTENSION WORK WAS DERIVED (1917–18)

Source.	Amount.	Per cent.
State	$1,241,000	77.6
County	203,000	12.6
College	83,000	5.2
Localities	73,000	4.6
Total	$1,600,000	100.00

The most important type of work carried on in the field of agricultural extension has been that of the county agent. The early history of this branch of work has been described in explaining the events which led up to the passage of the Smith-Lever Act. The county agents are generally recruited from the graduates of agricultural schools who have had thorough practical training. They not only give instruction and advice on subjects of improved agricultural practice but also on farm management, marketing and purchasing. Demonstrations are conducted and information is freely distributed. Some idea of the extent of the work and the eagerness of the localities to cooperate can be seen from the fact that on August 1, 1917, there were 1434 counties that had men agents and 584 that had women.[1]

In 1916 the county agents made more than a million farm visits and conducted over 76,000 meetings, which were attended by several million people.[2] During the war the number of demonstration agents was increased greatly by a $4,350,000 appropriation for this purpose in the Home Products Act of 1917. The county agent is really at once the expert adviser, the business agent and the social worker of the farmers, as well as the medium whereby they are informed of the best agri-

[1] The vast majority of counties employing women also employed men, the home economics work being supplementary to that carried on by the men county agents.

[2] S. R. S. Doc. 40, *op. cit.*, p. 23.

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cultural practices. He is undoubtedly one of the most important factors in the reconstruction of our rural life.

Federal Aid for Post Roads

The good-roads movement caused Congress in 1916 to pass an act providing federal aid for post roads. In order, however, to understand the principles of this measure, some account of the events leading up to its final enactment is necessary.

The evolution of the support of the highways has been most ably studied by several scholars, but the evolution of the administration of the public roads has been relatively neglected. The geographical unit for the administration and support of the roads has developed in the United States through the following stages: (1) the road district; (2) the township; (3) the county; (4) the state (beginning about 1900); and finally (5) the nation. This evolution has not taken place in the case of all roads or in all parts of the country; but it represents a pronounced tendency toward a larger area of support and administration. The reason for this development is the extension of the market and the fact that the highways of a locality are coming to be more and more used by others than those living in the locality. A local unit like the road district or township is anxious, therefore, to have the county aid its roads or construct others in order that the locality may not be compelled to bear the burden for those non-residents who use the highways but would not otherwise contribute. In a similar fashion a county desires state aid. If the support and administration of the highways is left to local units, it is almost impossible to secure connected and adequate systems of roads, since one locality, unable or unwilling to maintain a stretch of highway, can impair the usefulness of an entire system. A continuously well developed road or highway cannot be obtained, therefore, if it depends upon the localities through which it passes for its construction and maintenance. With the advent of the automobile and the motor truck, travel on the highways becomes interstate as well as intrastate, and consequently the states desire the aid of the federal government in much the same way that the counties had previously desired the aid of the states.

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Bills providing federal aid for roads were accordingly introduced in Congress as early as 1907, although it was not until 1912 that interest in the problem became acute. In that year no less than 62 bills providing some form of federal aid were introduced. There were two opposing groups in this campaign for federal aid. The first comprised those who wanted a connected series of national highways, running from state to state and joining all parts of the country. The supporters of this system of interstate highways were chiefly the representatives of the automobilists and the advocates of a system of military roads. The second were those who wanted a system of roads designed primarily to aid the farmers. Since almost all of a farmer's hauling is to a given market or shipping point, it is to the farmers' interest to have a series of relatively short branch lines leading out from the thousands of these local centers. Neither a national nor a state system of roads would benefit them materially, but rather thousands of groups of roads with a certain minimum of connection between the groups.

Opinion was also divided on the question as to how federal aid should be administered. Some of those who believed in a national system of highways wished the federal government to construct, operate and maintain these roads itself. Others, particularly the representatives of the farmers' interests, wished the federal government merely to appropriate money or lend credit to the states or local units, leaving it to them to construct and maintain the highways in accordance with their own judgment.

In 1912 some twenty of the representatives who had introduced federal-aid bills agreed to support one which was introduced by Congressman D. W. Shackleford of Missouri.[1] This bill provided[2] that all roads upon which rural mail was carried should be divided into three classes, of which the third comprised the dirt roads, constituting 1,000,000 of the total 1,200,000

[1] 62nd Congress, 2nd Session, H. R. 22952.

[2] For the text of this bill see *Congressional Record*, 62nd Congress, 2nd Session, vol. 48, pp. 5357–58.

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miles of rural post roads. Where the United States used any such highways for delivering rural mail, it was to pay the state or the civil subdivision whose road was used $25 a year for each mile of Class A so used, $20 a year for each mile of Class B and $15 a year for each mile of Class C.

Such a measure was plainly a road-rental act rather than a good-roads act. Some of its more patent faults were (1) that the money granted by the federal government did not have to be used for constructing or maintaining the roads; (2) that the sums were so inadequate that the governmental authorities could not construct roads with them even if they so desired; (3) that the sums were inadequate even to maintain roads already constructed. The cost of construction of roads in Class A ranged from $3,000 to $10,000 a mile and the annual cost of their maintenance from $300 to $1,000. The average annual maintenance cost of roads of Class B was in the hundreds of dollars. The rentals granted would have barely sufficed to fill in some of the mud holes in the dirt roads and to run a drag over their surface. Another objection to be found with the bill was that the federal government was to pay the rentals and exercise supervision, not over the states but over the civil subdivisions in charge of the various post roads. It would therefore have dealt directly with the thousands of counties, townships and road districts. This would not only have made the task of paying the rentals cumbersome, but it would also have made supervision and enforcement practically impossible. The result would almost inevitably have been that practically all of the dirt roads would have been listed in Class C, and the federal government would have had to spend $15 a mile for the million or more miles of such roads over which the rural mails were carried.

Despite its faults, this bill was included in the Post Office Appropriation Bill by a vote of 240 to 89. It was, however, vigorously criticised in the Senate and was stricken from the measure by that body. The Senate representatives stood firm in the conference committee, and the measure was accordingly killed. The conference committee, however, presented the following two recommendations, which were adopted by both

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Houses: (1) that a joint committee should be appointed to investigate the whole problem of federal aid to post roads; (2) that an experimental appropriation of $500,000 for good roads should be made. This was to be expended by the Secretary of Agriculture in cooperation with the Postmaster General "in improving the condition of post roads." Owing probably to suggestions upon the floor of the Senate by Senator John Sharp Williams of Mississippi, the following significant proviso was added: "provided that the state or local subdivision thereof in which such improvement is made under this provision *shall furnish double*[1] the amount of money for the improvement of the road or roads so selected."[2] The joint committee was appointed, of which Senator Jonathan Bourne, Jr. of Oregon was elected chairman. It conducted a more or less extended investigation and reported to Congress in January, 1915.[3] When Congress assembled in 1914, Mr. Shackleford introduced another bill for federal aid. This measure after slight amendment passed the House by a vote of 284 to 42 and provided an appropriation of $25,000,000 to be distributed among the states after a minimum of $65,000 had been granted to each state, one-half in the proportion which the state's population formed of the total population of the continental United States and one-half in the proportion which the mileage of the rural post roads in that state formed of the post roads of the country as a whole. A state's allotment could be expended for either or both of the following purposes: (1) for the construction and maintainence of roads under the approval of the Secretary of Agriculture, provided that the state or localities bore at least one-half the cost; (2) for road rentals. The same three classes of roads, as defined in the former bill, were retained, but the differential rental between Classes A and B and Class C was increased. The annual payment per mile for Class A was to be $60, for Class B $30 and for Class C $15. The

[1] Italics are mine.

[2] For full text see *Congressional Record*, 62nd Congress, 2nd Session, vol. 48, p. 11,554.

[3] Report of Joint Committee on Federal Aid in the Construction of Post Roads; House Doc. 1510, 63rd Congress, 3rd Session.

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states and localities, however, were required to appropriate an equal sum to be used in maintaining these roads. Although this bill[1] was distinctly better than that of 1912, it would undoubtedly have resulted in the use of the major portion of the appropriation to maintain dirt roads rather than to construct or improve proper roads.

This bill was rejected by the Senate Committee on Post Offices and Post Roads, and a totally different one, based upon a plan of Ex-Senator Bourne's, was substituted for it. The result of these conflicting views was that no federal aid for highways was granted.

In 1916 Congressman Shackleford introduced still a third bill (H. R. 7617), providing for an appropriation of $25,000,000 to be distributed among the states in accordance with the method outlined in the 1914 bill. The aid extended by the federal government was to range according to the discretion of the Secretary of Agriculture from 30 per cent to 50 per cent of the total cost and was to be used for the "construction and maintainence of rural post roads or any road that might become a post road," the road-rental feature of former bills thus disappearing. It was specifically stated that "dirt roads" were among those that were to be constructed or maintained, "one of the purposes of the act being to encourage and promote the improvement of a genuine system of roads leading from cities, towns and railway stations into the adjacent farming communities."[2] The measure passed the House but met with such strong opposition in the Senate that a bill drawn up by the National Association of Highway Engineers, approved by the Department of Agriculture and sponsored by Senator Bankhead of Alabama, was substituted in its stead. This bill passed the Senate, and in the conference committee the House receded from its stand and allowed the Bankhead plan to be substituted. It was this bill, therefore, which became law.[3] It provided for

[1] For the full text of this bill see H. R. 11,686, 63rd Congress, 2nd Session. See Report of Joint Committee on Federal Aid to Post Roads, *op. cit.*, pp. 277–79.

[2] For the full text of this bill see *Congressional Record*, 64th Congress, 1st Session, vol. 53, pp. 1269-70.

[3] Public 156, 64th Congress. The House number, H. R. 7617, was retained al-

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an appropriation of $5,000,000 for the fiscal year 1916–17, $10,000,000 for 1917–18, $15,000,000 for 1918–19, $20,000,000 for 1919–20 and $25,000,000 for 1920–21—a total of $75,000,000.

This money was to be spent only for the construction, reconstruction and improvement of rural post roads or roads that might become post roads in places of less than 2,500 population. None of it was to be spent for maintenance (a vital difference from the Shackleford plans) either of post roads in general or of roads constructed with the aid of federal moneys. The annual sums were to be allotted among the states by the following method: one-third in the ratio which the *area* of each state bore to the area of all the states; one-third in the ratio which the *population* of each state bore to the population of all the states; and the remaining third in the ratio which the *mileage* of the *rural-delivery and star routes* in each state bore to the total mileage of these routes in all the states.

The federal government was not to deal with any governmental unit smaller than the state, and all states were required within three years to appoint highway commissions to administer the act.[1] The funds allotted to each state were to be paid only under the following conditions: (1) For each dollar contributed by the federal government the state or local units were to contribute at least another dollar. (2) The approval of the Secretary of Agriculture was required for each project for which federal aid was requested. Plans, specifications and estimates were to be submitted to him, and he was to approve only such projects "as may be substantial in character." The federal government was to pay its sums only when the project was completed, although progress payments, not to exceed the government's share of the actual cost of construction up to that time, could be made. (3) The government would not contribute more than $5,000 per mile as its share of construction. (4) The roads built were to be maintained by the state and

though the Shackleford bill was almost completely altered. Mr. Shackleford has accordingly obtained the credit for an act which in its vital aspects was almost totally different from that which he advocated.

[1] At that time (1916) only nine states did not have highway commissions.

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localities under penalty of withdrawing the ensuing allotment. Some of the states were prevented by constitutional limitations from engaging in internal improvements,[1] and in such cases the counties were expected to assume the burden of duplicating the federal funds.

The Post Office Appropriation Bill of 1919 enormously increased the funds available for federal aid under the conditions laid down by the 1916 law, by appropriating an additional $50,000,000 for the fiscal year 1918–19, $75,000,000 for 1919–20 and $75,000,000 for 1920–21. This additional $200,000,000 makes a total of $275,000,000 appropriated for federal aid, calling for at least an equal expenditure by other bodies.[2]

A comparison of these acts as passed shows the following changes and improvements over the earlier ones proposed: (1) the abandonment of the idea that the federal government should distribute a road rental or subsidy without any obligation upon the part of the locality receiving the subsidy to expend it properly; (2) the adoption of the basic principle that a state or locality must show its interest in the project for which it seeks federal funds by contributing at least an equal amount; (3) the supervision and approval of each project by the federal government before federal aid is granted; (4) subject to this approval, the decision by the respective states of the question whether the roads shall be built for the farmers or the automobilists; (5) the establishment of the basic principle that federal funds are not to be used for maintenance; (6) the refusal of the federal government to deal directly with any political unit smaller than the state; (7) the attempt to work out a fair basis for apportioning the federal money between states, so that the allotments may correspond somewhat closely to the burden to which each state is subjected in creating a system of good roads.

The administration of the act was entrusted, as has been said,

[1] The result of the crisis caused by internal improvements in the 1830's.

[2] There is, in addition, the $10,000,000 appropriated for roads in the national forests districts, to which $9,000,000 was added by the act of 1919. These sums are to be expended directly by the federal government without contribution by the states.

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to the Secretary of Agriculture, who in turn has handed it over to the Bureau of Public Roads, which had been carrying on research work for seven years and had had experience in the administration of the $500,000 experimental appropriation of 1912. This Bureau has district representatives in various parts of the country, liaison officials between the Department and the state highway commissions. They are able at once to advise the commissions, to furnish the Department with first-hand information concerning the advisability of submitted projects and to act as inspectors of the work when commenced. The Department has taken steps to protect itself from contractor's "rings" by checking up the contract advertisements, bids and acceptances. Ample notice, for instance, must be given before any contract is awarded, so that an official of the Public Roads Bureau may attend the meeting. If the contract is awarded to other than the lowest responsible bidder, the Department will not pay more than its share of this lowest responsible bid, unless it can be shown conclusively that it was advantageous to accept the higher bid.[1]

The actual carrying-out of the construction program was of course impeded by the war, but some idea of the work can be obtained from the results for the fiscal year 1917–18. In that year the Department passed upon a total of 563 projects, of which only four, or less than one per cent, were rejected. The remaining 559, covering an aggregate of 6250 miles, called for a total estimated cost of approximately $42,300,000, of which the federal government was to assume approximately $16,000,000, or roughly 38 per cent of the total.[2] It will be seen from these figures that the state governments are assuming more than three-fifths of the cost, whereas they are required to assume only one-half.[3]

[1] See "Rules and Regulations for Carrying out the Federal Aid Road Act," U. S. Department of Agriculture, Office of the Secretary, Circular no. 65, p. 9.

[2] *Public Roads* (the official organ of the Bureau of Public Roads) vol. i, nos. 6–8, December, 1918, p. 38. It should not be supposed that all of this money was expended during the year, since, as a matter of fact, only $500,000 of federal aid money was actually paid out.

[3] A study of the projects approved shows that the roads which are being con-

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The major proportion, however, of the funds available for federal aid from 1917 to 1919 was never allotted, and of the amount allotted, only a part was actually expended in those years, although the unexpended amounts are available for future use on the approved projects. Thus, although slightly over $75,000,000 was appropriated for these years, only $23,951,000 was finally allotted to approved projects, and only $3,128,000 was actually expended.[1] This retardation was caused both by the necessary war-time suspension of construction and by the fact that the additional appropriation of 1919 was passed at a date so late as to make it almost impossible to use the appropriation for 1918–19.

With the appropriations added by the act of 1919 the federal-aid system will undoubtedly assume a position of commanding importance. In the calendar year 1917 approximately $271,000,000 was spent by states and localities upon the highways. Of this, $98,000,000 was spent under the supervision of the states, $47,000,000 being contributed by the states and $51,000,000 by the localities. $181,000,000 was spent directly by the localities without state supervision or aid.[2] Not more than two-thirds or perhaps one-half of the total was spent for construction, so that for the next few years the federal appropriations of $75,000,000 to $100,000,000 a year will result in the federal-aid system dominating the construction of roads. It will also undoubtedly furnish standards for roads not built with its aid.

It should be pointed out that the basic question whether the highways should be constructed for the farmer, with the consequent predominance of systems of grouped roads from shipping and marketing centers, or for the automobilists, with

structed with federal aid are in the main either of macadam, gravel, sand and clay, or other relatively permanent materials, and that dirt roads, while numerous, are distinctly in the minority. See *Public Roads*, May, 1918, pp. 24–30; June, 1918, pp. 31–32; September, 1918, p. 20.

[1] See Report of Secretary of Agriculture Houston, House Document no. 359, 66th Congress, 2nd Session.

[2] See A. P. Anderson, "$280,000,000 put into Highways and Bridges by States in 1917," *Public Roads*, July, 1918, p. 27.

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a state and national system of highways, still remains unsettled. Some definite policy should be evolved before the active building of the roads is begun. With the initiative in the hands of the states, it would be difficult for the federal government to coordinate whatever state systems are created so that they may be joined and thus afford a sectional or national system. If we need a certain minimum of connecting and "through" highways, it can possibly be accomplished by the Office of Public Roads through persuasion and advice, by the calling of sectional conferences of highway commissions and by the use of the veto power over an overwhelming preponderance of local projects.

[*To be concluded.*]

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THE BURDENS OF PREPAREDNESS AND WAR

Nassau W. Senior's Views regarding the Effect of Militarism on Capital

IN his second series of lectures on political economy delivered at Oxford about seventy years ago, Nassau W. Senior dwelt at considerable length upon the economic effects of war. The following extracts from these lectures, hitherto unpublished, indicate his views on this subject. It is the purpose of this article to test their soundness in the light of more recent experience.[1]

The normal state of mankind from the times of Nimrod down to those of Bonaparte [says Senior] seems to have been war, interspersed with intervals of peace, and gradually softening under the influence of Christianity and philosophy, but avowedly and systematically destructive on land until the end of the reign of Louis the Fourteenth, and at sea at the present instant.

Senior divides the destructive effects of war upon capital into two categories, positive and negative. The positive destruction of wealth inflicted by war, whether domestic or external, as usually carried on among civilized nations, he regards as temporary in its effects.

What suffers most is maritime capital, because war at sea has not been humanized. It is still waged with the rapacity and the ferocity which stained war on land in barbarous times. . . . But on land instances of wanton ravage are rare. Sometimes, but very rarely, a town may be bombarded, a farmhouse or a detached manufactory may be burned, an orchard may be cut down, and the greater part of the live-stock of a district may be consumed. The cattle and horses, however, can be replaced in five or six years. The sheep and pigs in two or three. Farmhouses are not expensive erections and manu-

[1] A preliminary analysis of the scope and significance of the Senior MSS, together with an account of the steps taken in order to unearth them, will be found in the writer's articles, "Nassau W. Senior, British Economist, in the Light of Recent Researches," in the *Journal of Political Economy*, April and May, 1918.

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factories and machinery rapidly deteriorate so that their destruction by an enemy accelerates only by a few years their consumption by time. ' The important parts of the agricultural capital of a nation, the amelioration of its soil by the labor of centuries, its roads, canals and harbors, are almost unsusceptible of injury. A short period of enforced parsimony restores its circulating capital and a country which has perhaps been the seat of prolonged war, which at the end of that war thought itself ruined, finds itself in a few years as flourishing as before.

As to the negative cost of war he says:

The real evils of war are not its positive but its negative effects, not the capital which it destroys but that of which it prevents the accumulation or which it diverts to unproductive purposes. In this manner success may often be more mischievous than failure. An invasion may hurt the invader more than the invaded. It was said that when the Dey heard what had been the expense of our bombardment of Algiers, he protested against the waste; he was quite ready, he said, to have burnt for us his fleet and town for one-third of the money.

Turning to the cost of preparedness, he says:

But though in modern times war is accompanied by far less positive destruction than it used to be, it must also be admitted that *peace is far less beneficial*. Until the Sixteenth Century the expense of war fell on those who carried it on. The husbandman was withdrawn from his fields, the artisan from his workshop, but after a short campaign, for which the least busy part of the year was generally chosen, they returned to their businesses, and production was little interrupted. As soon as peace came the military expenditure was at an end and, as I said before, a few years of parsimony restored all that had been lost.

During the last two hundred years it has become the practice to substitute mercenaries for men serving at their own expense and to raise the funds for paying them not by taxation but by loans. The consequence has been that at the end of the revolutionary war in 1815 every nation found itself loaded with a debt the interest of which far exceeded the annual expense of the wars of former centuries. During the thirty-four years of peace which succeeded this debt has generally, I believe I may say universally, been increased instead of being paid off or reduced; and *a state of warlike preparation* has

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been kept up which in many parts of Europe, in France, for instance, or Belgium, and in Holland, *is actually more costly than the most expensive previous wars.*

Even in England, where this folly has not been pursued quite so far, the military expenditure of the year ending the 5th January, 1849, amounted to £17,645,000. If we add to this £28,563,000, the interest of the national debt, the legacy of former wars, it amounted to £46,208,000. Of this vast sum—£17,645,000—the portion directly employed for military purposes was all expended unproductively, excepting of course, for the purposes of defense. Except for those purposes it was as much lost as if it had been thrown into the sea. . . . The whole of £28,563,000 was not unproductively consumed. The national creditors who received it, accumulated, that is to say employed productively a portion of it. We will suppose, I fear an extravagant supposition, that they accumulated one-fourth of it. There would remain £21,422,000, making with £17,645,000, £39,067,000. Now £39,067,000 represents the wages . . . of one-fourth of the population of Great Britain. If we suppose the whole income of the inhabitants of Great Britain to amount to £390,000,000, which appears to me the estimate nearest to the truth, it is equal to one-tenth of that income. Assuming now the whole of £39,067,000 to be contributed by Great Britain, which is nearly, though not strictly true, *we annually employ in preparation for future war and in repaying the expenditure of past wars, a sum equal to one-tenth of our whole gross annual income, and equal to the wages of one-fourth of our laboring population.*

Growth of Military Expenditures in the United States

In 1849, Senior tells us, the direct military expenditures of Great Britain amounted to £17,645,000, or $88,225,000, roughly speaking. In the fiscal year ending June 30, 1849, the United States, according to the Treasury Department, spent $24,345,000 for the upkeep of the army and navy, that is to say, about one-fourth as much as Great Britain. In 1914 the total expenditures for the British army and navy amounted to $402,150,000, while our military expenses reached a total of $313,205,000. Thus, from 1849 to 1914, the annual military expenditures of Great Britain increased 356 per cent, and our own increased 1187 per cent. The rate of the military expansion of the United States, therefore, appears to have been more than three times as fast as that of Great Britain.

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TABLE I

U. S. MILITARY EXPENDITURES FOR 100 YEARS, 1817–1916[1]

Fiscal Years Ending June 30	Army	Navy	Total Military Disbursements
Period A.—1817–1861 (45 yrs.).	$453,614,000	$302,608,000	$756,222,000
Period B.—1862–1865 (4 yrs.).	2,713,569,000	314,223,000	3,027,792,000
Period C.—1866–1899 (34 yrs.).	2,113,262,000	837,540,000	2,950,802,000
Period D.—1900–1916 (17 yrs.).	2,423,192,000	1,877,086,000	4,300,278,000
Grand Total, 1817–1916 (100 yrs.)	$7,703,637,000	$3,331,457,000	$11,035,094,000

It will be seen from the Table that our military expenditures before the Civil War were comparatively moderate. During the forty-five years from 1817 to 1861, the annual disbursements for the army ranged from a minimum of $2,630,000 in 1820 to a maximum of $35,840,000 in 1847, when we were at war with Mexico. Similarly, the annual disbursements for the navy amounted to only $2,224,000 in 1822 and reached a maximum of $14,691,000 in 1859. In this period of our history the annual expenses of the government for all purposes, including even the postal service and the public debt, never exceeded $94,000,000; while in 1823 and in 1843 they were as low as $16,000,000.

The Civil War, of course, caused a heavy drain upon our financial resources. In 1865 the disbursements for the army alone amounted to $1,030,690,000—exceeding the total expenditures for the army and navy from the beginning of the republic to the administration of Abraham Lincoln. The disbursements for the army and navy from July 1, 1861 to June 30, 1865, reached a total of $3,027,792,000, excluding, of course, the military expenses incurred by the seceding states. The total monetary cost of the Civil War has never been accurately ascertained. Aside from the public debt, we paid out $5,299,860,000 to pensioners of that war up to June 30, 1919;[2]

[1] This Table is based upon the Secretary of the Treasury's *Annual Reports on the State of the Finances*. It does not include disbursements for the civil establishments of the War and Navy Departments.

[2] *Cf. Report of the Commissioner of Pensions* for the fiscal year ending June 30, 1919, p. 23.

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and in recent years the annual disbursements for such purposes have been increasing rather than diminishing. In the years immediately succeeding the Civil War our annual expenditures for the army and navy gradually declined, but from 1873 to 1897 they showed a tendency to rise considerably above the highest level attained before that war.

Our disbursements for the army and navy during the war with Spain were at the rate of about $222,000,000 a year, being only $138,000,000 in excess of the normal military expenses incurred in 1897. But during the seventeen years following the Spanish-American war, they amounted, on an average, to $253,000,000 a year, or $31,000,000 above the average attained during that war. The total military disbursements from 1900 to 1916, inclusive, amounted to $4,300,278,000. During these seventeen years of peace we spent on our army and navy $1,349,476,000 more than during the preceding thirty-four years (1866–1899), and $1,272,486,000 more than we spent during the Civil War.

Though it is the custom today to talk in terms of billions, figures alone mean little. The sum which we spent on our army and navy from 1900 to 1916 is more than twelve times the cost of constructing the Panama Canal; it is equivalent to somewhat more than the total annual wages paid out to an army of over seven million workers, employed in all kinds of factories throughout the United States, during the census year 1914; it is greater by $919,436,000 than the total revenue derived from the operation of all the steam railways in the United States during the fiscal year ending June 30, 1916. With this surplus alone we could have provided amply for the annual cost of maintaining all our elementary schools, high schools, colleges and universities—in short, the entire educational system of the United States, including Alaska.

Preparation for the World War

Notwithstanding the unprecedented military expenditures of our government in times of peace, we not only failed to avert war, but were unprepared for war when it came. Let us now see what the rest of the world was doing in the meantime

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Statistics on this subject are not readily available, but the following Table[1] will give the reader a general idea of the world-wide preparedness movement that preceded the World War.

TABLE II

THE PROGRESS OF PEACEFUL PREPAREDNESS, 1898–1914

(In thousands of pounds sterling)

Principal Military Powers	Annual Expenditures for Army and Navy			Financial Status in 1914		
	1898	1914		National debt	Cost of debt	Total revenue
		Amount	Per cent of increase			
Great Britain. .	£46,474	£80,430	75	£716,288	£24,500	£200,655
France	38,059	81,066	114	315,260	52,733	214,941
Germany . . .	37,607	59,035	57	269,844	12,471	184,802
Russia	37,416	105,956	325	1,045,276	46,480	381,984
Italy	17,392	27,243	56	570,864	18,043	104,837
Austria	11,300	24,992	122	783,345	32,627	219,616
United States. .	30,163	62,641	98	585,287	4,573	209,126
Japan.	4,300	19,935	368	261,581	18,891	58,681
Total . . .	£192,548	£461,298	140	£5,547,745	£210,318	£1,574,642

With reference to the comparative data presented in this Table, the reader need scarcely be reminded that figures often lie. The purchasing power of money fluctuates considerably from time to time, and the standard of living varies much in different countries. Then, again, we are confronted by the fact that the rate of pay for military service is comparatively high in countries where the system of voluntary enlistment prevails and very low in countries that adhere to the system of universal military service. Thus, the monthly rate of pay of a private in the first year of service is $30.00 in the United States, $3.21

[1] The figures for 1898, excluding that for the United States, are based upon F. W. Hirst, The Political Economy of War, p. 90; the figure given for the United States is based upon the compilations of the Treasury Department. For the statistics for 1914, the author is indebted to the Peace Society of London.

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in Germany, $0.60 in Japan.[1] But, subject to these and similar limitations, the above Table indicates clearly that the great nations of the world have bent their best energies to preparation for either aggressive or defensive warfare. In 1898 the military expenditures of the eight dominant powers of the world amounted to £192,548,000, and in the year just prior to the World War to £461,298,000, showing an increase of 140 per cent for all those countries combined in an interval of seventeen years. The enormous public debts with which they were already loaded did not prevent them from incurring still greater liabilities. While professing international goodwill, these progressive nations contended with one another in the deadly race of preparedness for their mutual destruction.

It will be noted in the Table given above that even democratic nations, like England and the United States, whose institutions are averse to militarism, have been obliged to imitate their autocratic neighbors. Of the total revenue of £1,574,642,000, collected in 1914 by the eight leading powers, about one-third was devoted to purely military purposes.

Why Excessive Military Burdens were Tolerated

A number of theories were advanced to justify the ever-increasing military burdens imposed upon civilized nations in times of peace. Preparedness on a large scale was defended on at least three grounds: first, that it was conducive to national growth and prosperity; second, that it was the cheapest method of insuring against war; third, that it was a bulwark against imperialistic aggression. Let us examine these arguments in turn.

In opposing the Czar's proposal for a reduction of armaments, General von Schwarzhoff, in an address before the First Committee of the Hague Convention, delivered on June 27, 1899, said:

> The German people is not crushed under the weight of charges and

[1] See Report of the War College, General Staff, on *The Cost of the Army of the United States as Compared with the Cost of the Armies of Other Countries*, Washington, 1915.

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taxes. . . . Quite the contrary, public and private wealth is increasing, . . . So far as compulsory military service is concerned, which is so closely connected with these questions, the German does not regard this as a heavy burden, but as a sacred and patriotic duty to which he owes his country's existence, its prosperity, and its future.[1]

Not only did this German view of military preparedness influence the decisions of "practical" politicians and military advisers in other countries, but it appears also to have left a profound impression upon liberal-minded thinkers in America. Thus, a student of American history, writing in the midst of the bloodiest war of all times, did not hesitate to endorse German methods of preparedness on *rational* grounds.

During the past fifty years, the German people transformed the "dark and bloody ground" of Europe into a garden of peace and prosperity. The one great war they waged during that time lasted less than a year. By being prepared, Germany compelled the conquered enemy to defray the cost of the war and to contribute a handsome balance to her treasury. . . . In return for the outlay she not only attained victory over her enemy, but other economic advantages as well.[2]

Another American of international prominence finds it necessary to devote a whole chapter of a widely read book to an exposition of the blessings of modern armaments. Arguing that the sacrifices involved in rearing children to be cannon fodder are as beneficial to human mothers as the sacrifices of hens in laying eggs and hatching chicks are for the health and strength of the animal mothers, he launches a "frightful" attack upon modern economic theory.

The people have been taught . . . that the cost of establishing, equipping, maintaining, and supporting a standing army, the cost of building, manning and supporting a large navy, and the expense of manufacturing and storing large supplies of ammunition and other war materials, represent just so much dead loss to the taxpayers of the country.

[1] Quoted by Hirst, *op. cit.*, p. 88.

[2] Jennings C. Wise, Empire and Armament, p. 271.

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It is necessary to correct this error, and disseminate the truth that the building of battleships, the manufacture of arms and ammunition, the manufacture of supplies of food and clothing, require large numbers of laborers and skilled artisans, who become a great market for food and supplies of every description for their convenience and comfort, thereby giving employment to myriads of others, back to the farmer; while the money paid for wages and produce is kept constantly in circulation. . . .[1]

The following statements by the same author reflect so strikingly the originality of a great inventor that they ought to be inscribed upon the tomb of militarism whenever that creature of human perversity is finally put to rest.

. . . the nation as a whole is not impoverished in the least by the burden of armaments, but is rather benefited by their support. . . . The money spent by the government in building fighting-ships could not be esteemed so much money lost, *even if the ships were useless*. The government taxes the people for the money to build the ships, and then pays the money back to the people again for the ships. . . . It may be argued that the labor of the people is lost, but what of it? *Labor is neither money nor wealth; it merely represents time*. . . . The result is that *the fighting-ships have cost nothing*. On the contrary, . . . everybody is made better and richer through the building of them.[2]

A more plausible and widely-accepted argument in defense of the extraordinary military burdens to which practically all civilized nations subjected themselves for many years, was based upon the assumption that preparedness insures peace. Expensive armaments, it was thought, by increasing the risks of modern warfare, would prevent nations from going to war, or in the event of war, any nation that was thoroughly prepared would be insured against defeat.[3] It was therefore contended that just as the premiums paid for insurance policies

[1] Hudson Maxim, Defenseless America, pp. 223–4.

[2] *Ibid.*, pp. 228–31.

[3] "Military forces . . . are for the purpose of *preventing* defeat in war. . . . It is thus that a military force, insuring against defeat in war, insures against any war at all." Richard Stockton, Jr., Peace Insurance, pp. 3–4.

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are advantageous to their beneficiaries and to the community at large, so the premiums paid by nations in the form of military preparedness were economically and socially desirable not merely from the standpoint of the nation but also from that of the world as a whole.

Whatever justification there may have been for preparedness on the part of any particular country at any given time—and no sensible people ever adhered to such vagaries as the crime-breeding and unsocial doctrine of non-resistance—it will be found on further reflection that the analogy between military preparedness and insurance has little foundation either in fact or in theory. The following is a summary of some of the principal reasons why the term "peace insurance" is inapplicable to military preparedness.

1. The object of ordinary insurance policies is primarily to indemnify beneficiaries in the event of losses and only incidentally to prevent losses. No insurance policy is taken out for the purpose of preventing the occurrence of the contingency, the risk of which it covers. No life-insurance company pretends to insure perpetual life; no fire-insurance company guaranties against destruction of property by fire. Though life may be prolonged and destruction of property by fire curtailed on account of "safety-first" movements inaugurated by insurance companies, such benefits are of a secondary nature. The avowed purpose of preparedness, on the contrary, is not to indemnify a nation against loss of life and property as a result of war, but to prevent war by rendering military defeat impossible.[1] Military expenditures in times of peace are not for the purpose of *indemnifying* widows whose husbands will die in battle or of refunding to proprietors the expenses incurred by them for restoring buildings and machinery that will be destroyed by an invasion, but to *prevent* the occurrence of deaths in battle and the destruction of property by an enemy. Hence, expenditures for newer and more powerful engines of destruction are usually hailed as "life savers."

2. All insurance carriers are guided by the fundamental

[1] See footnote 3, p. 280.

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principle that losses due to any risk covered under the terms of a particular policy should be distributed among all persons exposed to such risks, so as to equalize the burdens of a certain group of individuals or of a particular locality. "Peace insurance" involves no such principle. The losses of a country that sustains military defeat are borne by that unfortunate country alone and are not distributed among its neighbors. Advocates of preparedness, however, would argue that military losses are sustained not on account of preparedness but for lack of adequate preparedness.[1] Can they deny, however, that it was the very perfection of Germany's preparedness that induced her to defy the world and precipitate an upheaval which ultimately resulted in ruining the mighty German Empire together with some of its most cherished institutions?

3. It follows as a corollary of the principle of distribution of risk that the premium rates on ordinary insurance policies are bound to be smaller with the extension of the number of policy holders exposed to similar risks. But in the case of "peace insurance," the greater the number of nations that are adequately prepared, the greater will be the burdens of each and every nation, and the greater will be the economic waste of society as a whole. In military affairs nations do not appear to be governed by the laws of supply and demand applicable in commercial transactions. The demand for armaments varies directly in proportion to their supply. When one nation increases its military appropriations other nations are bound to follow suit, and so on, until the psychological moment arrives when the crash takes place.

4. Again, the premium rates on ordinary insurance are based upon the expectation of uncertain, but regularly recurring, losses. But in the case of "peace insurance," the premiums paid by an aggressive nation are supposed to be calculated in accordance with a predigested plan of attack for the purpose of gains. In this respect preparedness fosters the gambling spirit.

[1] *Cf.* Richard Stockton, Jr., *op. cit.*, p. 12. . . . "the costs of our wars were due to lack of military forces and not to their existence." See also p. 22, where that author quotes Professor Emery to show that even Germany's military expenses were insignificant.

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5. Ordinary insurance policies embody the principle of insurable interest, so that beneficiaries can be indemnified only for *actual losses* sustained by them, and in proportion to such losses as are covered by the policies. But in the case of "peace insurance," if any nation by force of circumstances suffers military defeat, it not only fails to get any "benefits" from its preparedness "policy," however punctilious and far-seeing it may have been in the payment of premiums, but it is usually compelled to pay further indemnities. The victorious nation, on the other hand, levies these burdens upon the vanquished country not in accordance with well-established actuarial principles but rather according to the vulgar dictum of "what the traffic will bear."

6. As all policies of personal or property insurance apply the principles of indemnity against *actual losses* and of insurable interest on the part of the beneficiary, they automatically provide against the elimination of reckless waste due to unscrupulous methods used by some policy holders. The lack of such principles, in the case of "peace insurance," appears to be a frequent cause of such catastrophes as are supposed to be prevented by military preparedness. Indeed, as Lord Aberdeen once observed in an interview with Nassau Senior, "half the proverbs that are quoted as wisdom are folly, and there is none more foolish than '*Si vis pacem bellum para.*' The Greek one, ἕλκει τὸν ανδρα σίδηρος,[1] is the true one. It is almost impossible to have a large military force without being tempted to use it."

As to the argument that preparedness is a bulwark against imperialistic aggression, a single quotation from Senior must suffice:

> The necessity of keeping up a large military force seems to be the peculiar evil which the prevalence of despotism on the Continent inflicts on us. Despots are the only persons to whom war, or the preparations for war, costs nothing. Their incomes, as respects their personal wants, are unbounded. If they like to amuse themselves with large armies and fleets they can force their subjects to waste on

[1] Steel lures man (to fight).

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them all beyond a bare subsistence, and we cannot in prudence remain comparatively unarmed. A despot with military propensities is like a rich man who devotes his whole income to going to law with his neighbors. If, instead of having a good house and dogs and horses, he feeds an army of attorneys, *they* are forced to do so too.

The Aftermath of Armed Peace

Let us now review, as briefly as possible, some of the outstanding results of the world-wide preparedness movement. The following Table[1] gives an estimate of the most glaring losses sustained by the principal belligerent countries as a direct result of the World War.

TABLE III

CHIEF LOSSES SUSTAINED AS A DIRECT RESULT OF THE WORLD WAR

Belligerent Countries	War Expenditures		Battle Deaths of Soldiers	
	Amount	Per cent of grand total	Number	Per cent of grand total
British Empire	$38,000,000,000	20.4	900,000	12.0
France	26,000,000,000	14.0	1,385,000	18.5
United States	22,000,000,000	11.8	50,000	0.6
Russia	18,000,000,000	9.7	1,700,000	22.7
Italy	13,000,000,000	7.0	364,000	4.9
Other Entente Allies	6,000,000,000	3.2	336,000	4.5
Total Entente Allies	$123,000,000,000	66.1	4,735,000	63.2
Germany	39,000,000,000	21.0	1,600,000	21.4
Austria-Hungary	21,000,000,000	11.3	800,000	10.7
Turkey and Bulgaria	3,000,000,000	1.6	350,000	4.7
Total Central Powers	$63,000,000,000	33.9	2,750,000	36.8
Grand Total	$186,000,000,000	100.0	7,485,000	100.0

According to this Table about seven and a half million soldiers were killed in action or died of wounds received while

[1] *Cf.* Col. Leonard P. Ayres, The War with Germany, chaps. ix, x.

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actually participating in battles during the war. A still larger number of soldiers died from unsanitary conditions, undue exposure and other hardships arising from living in camps or trenches. To illustrate: of the total number of 115,660 deaths that occurred in the American army[1] from the declaration of war to July 1, 1919, only 50,280 were battle casualties, while the remaining 65,380, or 57 per cent of the total, were caused by disease[2] and accidents. As regards the minor casualties of the World War, at least twenty million men were more or less seriously wounded.[3] The Table shows that Russia, Germany and France suffered the heaviest losses, and that the casualties sustained by the Entente Allies were nearly twice as large as those of the Central Powers. Italy had more than seven times as many battle deaths as the United States, the British Empire had two and a half times as many as Italy, and Russia had nearly twice as many as the British Empire.

The data of war expenditures presented in the above Table are based upon the careful researches of Colonel Leonard P. Ayres, formerly Chief of the Statistics Branch of the General Staff, who had access to the files of the Supreme War Council at Versailles as well as to the reports of the Interallied Bureau of Statistics. All the figures are regarded as *net* expenditures, *i. e.*, excluding loans from one country to another as well as normal expenses calculated on a pre-war basis, and relate to the period of the war up to May 1, 1919.

In his more recent work on the *Direct and Indirect Costs of the Great World War*, Professor Ernest L. Bogart gives an elaborate analysis of the war expenditures of the various belligerent countries, based upon original sources of information. His figures for the various countries specified vary considerably from the estimates arrived at by Colonel Ayres. Professor Bogart's estimate as compared with that of Colonel Ayres shows an *increase* of about three billion dollars for the Entente Allies and a *decrease* of a similar amount for the Central

[1] The navy lost an additional number of 10,000 lives.

[2] Pneumonia coupled with Spanish influenza accounted for 84 per cent of such cases.

[3] *Cf.* E. L. Bogart, Direct and Indirect Costs of the Great World War, p. 272.

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Powers; and as a result of this balance, the two authorities are in precise agreement in their estimate of the total war expenditures. No finality can be claimed for either set of figures; neither Colonel Ayres nor Professor Bogart would assert that their respective estimates are absolutely correct.[1]

An estimate based upon a detailed statement of the war expenditures of the United States contained in the Secretary of the Treasury's last *Annual Report on the State of the Finances* gives $19,570,000,000 as our net war expenditures up to May 1, 1919, which amount is considerably below the estimate given by Colonel Ayres. According to the former authority, however, our net war expenditures during the six months succeeding May 1, 1919, amounted to $3,854,000,000, giving a total war expenditure of $23,424,000,000 up to November 1, 1919.

However, in estimating the property losses as a direct result

[1] In his article on "The Cost of the War and how it was met," published in *The American Economic Review*, December, 1919, Professor Edwin R. A. Seligman estimates the total net war expenditures at 211 billions as compared with 186 billions given by Colonel Ayres and Professor Bogart. The reader's attention is directed to the variation in the estimates of these investigators as presented in the following analysis.

NET WAR EXPENDITURES

(In billions)

Belligerent Countries	Estimates according to		
	Ayres	Bogart	Seligman
Germany	$39	$38	$46
British Empire	38	40	38
France	26	24	31
United States	22	23	23
Total	$125	$125	$148
Other Countries	61	61	63
Grand Total	$186	$186	$211

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of the war, we must not regard all the net disbursements of the United States government during the war as having been devoted to purely unproductive purposes. I shall not attempt to make a detailed analysis of the various expenditures with a view to determining the exact amount that has been employed productively, but it will be admitted that the hundreds of millions of dollars expended by the United States Shipping Board, by the Grain Corporation or by the War Finance Corporation, have not been entirely wasted. But, allowing for such deductions, there still remains a vast amount of at least eighteen billion dollars—a sum greater than the total value of the gold produced in the whole world since the discovery of America —that has been productive of absolutely no public good except the *temporary* annulment (in certain countries only) of what the *New York World* calls, "the high enterprises of war lords in partnership with gunmakers." On the public debt which this great loss has created we shall have to pay for years to come more than a billion a year in interest. Pensions and concomitant expenses will eat up many more billions as the years roll by. What is true of the United States is true also of other countries, whose losses were even greater than ours.

In addition to the direct expenditures by the various belligerent countries for war purposes, there have been exceedingly large losses of property both on land and on sea.[1] No less than 12,946,000 gross tons of merchant shipping, including valuable cargoes, were destroyed through acts of war. Of this total, 7,757,000 gross tons represented British ownership; 1,177,000 tons belonged to Norway; 889,000 tons belonged to France; 846,000 tons belonged to Italy; 395,000 tons were owned in this country; and 1,882,000 tons belonged to various other countries.

These are some of the immediate effects of the war upon men and property. We cannot attempt to calculate its ultimate effects upon the accumulated wealth of preceding centuries.[2]

[1] According to Professor Bogart the property losses on land amounted to $29,960,000,000 as compared with $6,800,000,000 lost on sea.

[2] The loss of production during the war period alone, according to Professor Bogart, represents a value of $45,000,000,000.

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Estimates have been given of the number of men killed and wounded, but no reference has been made to the untold misery and suffering of the civilian population, many millions of whom have perished. The flower of civilization has been crushed; and animosity and prejudice have been generated, which for many years—perhaps centuries—will retard all measures for the permanent improvement of human institutions.

First Reaction to the War: Disarmament and Universal Peace

The enormous sacrifices of blood and treasure in the World War produced a profound reaction against the abuses of the old international regime which made such a disaster practically inevitable. In response to the popular demand that something be done to rid the world of the curse of war, the statesmen representing the victorious governments at the Paris Peace Conference drafted the covenant of the League of Nations and incorporated it into the treaty of peace with Germany. The purpose of this international constitution is "to achieve international peace and security" by the adoption of certain broad principles, rules and obligations affecting all the members of the League of Nations. Through the instrumentality of the council or assembly, as provided by the covenant, the League may take action in regard to all circumstances affecting directly or indirectly the peace of the world. The curtailment of national armaments to the minimum requirements and the international control of private concerns engaged in the manufacture of munitions and implements of war are some of the principal reforms which the League of Nations is expected to accomplish in the immediate future.

Popular orators and philanthropists, when speaking on international peace, usually appeal to our emotions by depicting a state of bliss that is to prevail when war shall be no more. As a rule, however, they do not neglect more practical considerations. The prophet Isaiah, for example, dreamed of a time when

> the wolf shall dwell with the lamb, and the leopard shall lie down with the kid; and the calf and the young lion and the fatling together; and a little child shall lead them.

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But, while deploring the existence of rivalry, jealousy and dissension among the various elements of his unfortunate fatherland, he urged his compatriots to exploit and ultimately subdue the neighboring tribes.

Ephraim shall not envy Judah, and Judah shall not vex Ephraim. But they shall fly upon the shoulders of the Philistines toward the west; they shall spoil them of the east together: they shall lay their hand upon Edom and Moab; and the children of Ammon shall obey them.

He hoped that a great international highway would one day connect the land of Judah with Assyria and extend even beyond the sea into the very heart of Egypt. The question of crossing the Red Sea presented no great difficulty at a time when the most intricate engineering problems were supposed to be solved by miracles; in due time mighty winds would dry up the sea.

And the Assyrian shall come into Egypt, and the Egyptian into Assyria, and the Egyptians shall serve with the Assyrians. In that day shall Israel be the third with Egypt and with Assyria, even a *blessing* in the midst of the land. Whom the Lord of Hosts shall bless, saying, Blessed be Egypt my people, and Assyria the work of my hands, and Israel mine inheritance.

As a prerequisite to the attainment of this ancient analogue of modern internationalism, it is provided by divine mandate "that the land of Judah shall be a terror unto Egypt, everyone that maketh mention thereof shall be afraid in himself." The resemblance of this scheme to Mittel-Europa and the Berlin-Bagdad project will be sufficiently obvious without comment.

The general desire for the attainment of permanent peace among the nations of the world appears to owe its origin not to innate ideas of righteousness nor to such lofty ideals as the brotherhood of man but rather to the benign influence upon the human mind of the economic law of diminishing returns. Under favorable circumstances civilized men are inclined to idolize the inherited fighting instinct. But this destructive pro-

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pensity has its limitations. Sooner or later it is discovered that no scheme of aggression and conquest can be pursued for any considerable length of time without enfeebling victor as well as vanquished. Accordingly, we find that on numerous occasions organized society has attempted to devise ways and means for eliminating unnecessary bloodshed and perpetuating universal peace. The ill-fated Holy Alliance, formed after the cessation of the Napoleonic wars, is usually cited as the classical example of idealistic altruism destined to be shattered upon the eternal rock of practical expediency.

The question that is agitating the minds of public-spirited men throughout the world today is whether the present scheme, as formulated in the covenant of the League of Nations, constitutes such an improvement upon all previous experiments as to inaugurate a permanent policy of international harmony that will automatically prevent wars in the future. Skeptics are prone to remind us of the inherent tendencies of human nature and to argue that since all attempts of a similar character have hitherto proved fruitless, there is no use in making further experiments. Those, however, who are more optimistic ask for another chance in view of the fact that conditions are now so different from what they were in the past.

It is now over a year and a half since the armistice was signed, and the United States is still, technically speaking, in a state of war. After spending months in ceaseless debate on the covenant of the League of Nations and the treaty of peace with Germany, the United States Senate has twice rejected those documents. What the final outcome of the League-of-Nations controversy may be, no one is yet in a position to forecast.

Second Reaction to the War: Nationalism and Universal Military Training

While the horrors of the war have created a desire for universal peace and gradual disarmament, the radical political changes which it has produced have led to a counter reaction, tending to perpetuate wars and augment the burden of preparedness. On the one hand, there is a tendency in certain

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quarters to proclaim that the era of international harmony and peace is come. On the other hand, as a direct result of the general recognition of the principle of self-determination, numerous nationalities have risen from the ashes of the ruined empires formerly ruled by the Romanoffs, the Hohenzollerns and the Hapsburgs; and most of these nationalities have grievances which they are bent upon settling not by reason and justice but by guns and dynamite. As regards conditions in this country, it is apparent that the conflicting views with respect to the League of Nations, coupled with the alarming increase of social unrest, have promoted the movement for preparedness.

Speaking on preparedness about five years ago, President Butler, of Columbia University, boldly inquired why we should embark upon a policy of competitive armament building "in the face of the most impressive and emphatic lesson that history records that the American traditional policy has been right."

> Why when the nations of Europe are about to be reduced to helplessness through exhaustion and starvation should we arm ourselves against any one of them? Who is this invisible, this unknown, this unheralded enemy, against whose attack we are to prepare ourselves at such great expense? As practical men and women, dealing with facts and facing the realities of politics and of life, we ask our militaristic friends for a bill of particulars. Are we to arm to the teeth and draw our resources away from that needed social and industrial improvement which thrusts problems upon us on every hand in order to expend them upon useless armaments against nobody?[1]

The answer to President Butler's inquiry turned out to be that we had been preparing in order to wipe out Prussian militarism and thus help to make the world safe for democracy. If this country had remained neutral to the end, the Allies would, in all probability, have accepted a peace treaty made in Germany instead of at Versailles, and Prussian autocracy, once dominant in Europe, would have threatened the honor and safety of this republic. It was our entry into the war that

[1] *Cf.* Address by Nicholas Murray Butler on "The Preparedness of America," delivered at the Railroad Club, New York, December 18, 1914.

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sealed Germany's fate. It turned out that inglorious defeat in this greatest of all wars was the reward of that nation whose preparedness had been most complete. Germany, or rather the clique that had dominated the German government, wanted this war, and Germany exhausted all means in preparing for it. The fact that her military strategists and statesmen happened to have miscalculated the chances of victory or defeat is merely a *negative* factor. The positive cause of the greatest disaster in the history of the world was Germany's overpreparedness in times of peace.

Germany, we may hope, has learned her lesson. It is said that the war has taught us a lesson too. The following Table scarcely bears out this assertion.

TABLE IV

U. S. MILITARY EXPENDITURES FOR 1921 COMPARED WITH THOSE FOR 1914

Departments	Actual Expenditures for 1914	Estimated Expenditures for 1921	Increase
War	$173,523,000	$1,208,902,000	$1,035,379,000
Navy	139,682,000	580,674,000	440,992,000
Total Military Establishment	$313,205,000	$1,789,576,000	$1,476,371,000

According to this Table, which is based upon the reports of the Treasury Department, the United States government proposes to spend for the army and navy, three years after the war, nearly six times as much as before the war. According to the estimates of the General Staff, the United States must have immediately an army of no less than 576,000 officers and men,[1] or more than six times the pre-war strength, though it is conceded that the old army "proved its loyalty and its efficiency by its success—a success not alone in winning an ultimate military victory, but a success in expanding its own organization."[2]

[1] *Cf.* Testimony of General Peyton C. March, Chief of Staff, *Hearings before the Subcommittee of the Committee on Military Affairs, U. S. Senate*, p. 55 (Aug. 7, 1919).

[2] *Annual Report of the Secretary of War*, 1919, p. 67.

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We have fought to crush militarism in Prussia, and after that end has been attained we are asked to imitate Germany and establish militarism in this country. Though "this country can, in an emergency, be self-sustaining in all respects for an indefinite period," it is incumbent upon us to support a large military establishment so that "no probable or possible enemy can ever seize a great strategic base on our coast."[1] Then, again, our country's "present international position must be recognized as being attended by tremendously increased responsibilities."[2] Furthermore, we are assured that "the professional soldiers of the United States love their profession,"[3] and "for the first time in our history conditions now permit" the establishment of an efficient military organization for "modern warfare."[4] Finally, a large military establishment is considered necessary for the purpose of supporting the proposed system of universal military training.[5]

Though differing widely as to details, practically all military experts are agreed that some system of universal military training ought to be established in this country, whereby all males of military age would be compelled to undergo a short period of military training, say, from three to six months during the first year and for still shorter periods thereafter. It is generally conceded that three or even six months' training would fail miserably to provide us with an adequate system of defence.[6] It is contended, however, that a system of universal military

[1] *Annual Report of the Chief of Staff*, 1919, pp. 245–6.

[2] *Ibid.*, p. 245.

[3] *Annual Report of the Secretary of War*, 1919, p. 64.

[4] *Annual Report of the Chief of Staff*, 1919, p. 244.

[5] Some military experts, notably Col. John McA. Palmer and Maj.-Gen. John F. O'Ryan, are strongly opposed to a large standing army. According to Gen. O'Ryan, "*a regular professional army is an obsolete institution.*" As "we have no boundaries to protect from invasion, . . . the creation and maintenance of a large regular army will make our protestations of peaceful intentions seem insincere to the rest of the world," and, consequently, will "imperil the world-movement to substitute something besides war for the settlement of international disputes." *Hearings*, above cited, part 10, pp. 513–16.

[6] Army War College, "Statement of a Proper Military Policy for the United States," Sept., 1915, p. 128; also testimony of Lieut.-Gen. R. L. Bullard and Maj.-Gen. Wm. G. Haan, Senate Committee *Hearings*, August, 1919, pp. 113–14, and 387.

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training "would constitute a most potent factor in Americanizing and educating the great alien and illiterate population which otherwise, under the influence of unscrupulous and disloyal agitators, may become a national menace."[1] The following bit of testimony on the part of one who is supposed to know what he is talking about will throw some light on the educational aspect of the proposed system.

Senator Fletcher. There is a point that worries me a little, as to how you will be able to carry on this training that you speak of in the direction of education, and at the same time the military training, and do the whole thing in three months.

Secretary Baker. That is different, Senator. I am not proposing this educational scheme for the three months' men. The educational scheme is proposed for those who volunteer in the regular army for the three years' period.[2]

The following Table gives the latest available figures in re-

TABLE V.

ILLITERATE MALES, 20 TO 24 YEARS OF AGE, IN THE UNITED STATES, 1910[3]

Classes	Number	Per cent of Total
Native:		
White	84,586	24.63
Negro	126,970	36.97
Indian	3,138	0.91
Total Native	214,694	62.51
Foreign-born white	127,275	37.06
Asiatics, etc	1,483	0.43
All Classes	343,452	100.00

[1] *Annual Report of the Chief of Staff*, 1919, p. 248. *Cf.* also testimony of Gen. Pershing before Senate Committee on Military Affairs, *Hearings*, November 5, 1919, p. 1675: "Universal military training is the only means I see available for educating this foreign element in the real meaning of the democracy of our government and its institutions, and for developing them into good citizens before they fall under the sway of dangerous agitators and become a real menace to the country."

[2] *Hearings*, p. 160.

[3] Census of Population, 1910, vol. i, p. 1191.

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gard to the scope of illiteracy in the United States among young men of military age, and the classes of such illiterates.

This Table shows, in the first place, that the number of illiterates among native males of military age is far greater than that among the foreign born, and in the second place, that the total number of male illiterates of military age, namely, 343,000, constitutes less than 50 per cent of the number of males of that age that will be subject to draft under a system of universal military training. In other words, though the proposed scheme is urged primarily as a means of reclaiming illiterate foreigners, in its actual workings it will largely affect natives who will have been Americanized and educated already.

Advocates of this plan will further have to answer why, in this age of equal suffrage, a national system of education and Americanization should confine itself exclusively to youths of one sex? If "radicalism" is to be exterminated not through brute force but by means of education, is it sound policy to educate and Americanize the Alexander Berkmans and leave the country to the mercy of the Emma Goldmans? This scheme will utterly fail to reach the dangerous radicals and illiterates who have passed military age; and instead of eliminating dangerous opinions it will probably constitute a potent cause for the dissemination of such doctrines.

As is well known, we are not an Anglo-Saxon people. Of the 33,200,103 immigrants who landed on our shores during the last century, only 25 per cent came from the United Kingdom. We are not a homogeneous nation. We are a conglomerate of nations and races. The one great principle that has kept us in harmony and peace is individual liberty. If liberty is undermined and resort is had to the autocratic doctrine of compulsion in times of peace, the very foundation of our national existence is shaken.

S. LEON LEVY.

WASHINGTON, D. C.

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REVIEWS

Indian Constitutional Reform. By VINCENT A. SMITH. Oxford, University Press, 1919.—118 pp.

The Government of India. By J. RAMSAY MACDONALD. London, The Swarthmore Press, Ltd., 1919.—ix, 291 pp.

The Political Future of India. By LAJPAT RAI. New York, Huebsch, 1919.—xxviii, 237 pp.

A great impetus has been given to the discussion of administrative reconstruction in India by the publication of the Montagu-Chelmsford Report in 1918. The three books under review approach this subject from three different angles. The first represents the viewpoint of the Anglo-Indian civil service, the second expresses the sentiments of liberal-progressive British publicists, and the third voices the opinion of such Indian radicals as are still loyalist enough to remain non-revolutionary.

Mr. Vincent Smith's qualifications for prescribing to the British people their duties with regard to the administration of India rest on the fact that he has devoted a lifetime to the study of Indian archaeology. His recommendations are as valuable as those of Professor Mahaffy would have been, if he had specified to Venizelos what policies Greece ought to pursue during the war against Germany, because, forsooth, he was a specialist in the Hellenistic culture of the Ptolemies. Mr. Smith's obscurantism, however, has had no influence even upon the cautious conservatives who are responsible for the new scheme for the government of India, which has recently gone into operation. His failure to be taken seriously is another object lesson to academicians who are too much absorbed in their antiquarian researches in "past politics" to be pervious to the influences of the new world order—not the least of which is the demand of the human intellect for a liberation from bondage to history, tradition and social inheritance.

But if Mr. Smith has failed to envisage the dynamic forces in political relations, Mr. Ramsay Macdonald has tried to comprehend them by analyzing the problems of India "as a going concern." He starts with the following propositions: (1) that today the "political philosophy and axioms of the West are an essential part of Indian life"

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(page 2); (2) that the "Indian movement is following the lines of our own [British] liberal, radical and labor evolution" (page 23); (3) that the Indian Government is "now faced with an Indian opinion;" and (4) that the change has been brought about by "the growth in Indian merit and self-confidence," for even "the villages are now being stirred by nationalist propaganda" (pages 19–20). Arguing from these psychological premises, he concludes that "a *pax Britannica* is not the end; the end is Indian life, abundant, responsible, spontaneous" (page 112). And in his flight of idealism he is prepared even now to confer a "conspicuous badge of emancipation" on India. "I should try it," he suggests, "with the responsibility of being tutor to some of the East African peoples under the care of the League of Nations" (page 220).

What Mr. Ramsay Macdonald has written, however, is not a book of mere propaganda; it is the result of minute and critical investigation. No author, perhaps, has ever given such a realistic picture of the modifications in the social and economic life of India brought about by the present system of judicial administration as we find in this book (pages 207–211). The first chapter presents a history of the Moslem movement, which unfortunately is ignored in all treatises on Indian politics. The author is not so captivated by enthusiasm for democracy as to minimize the difficulties of Indian representation (pages 73–77), and is therefore able to perceive that a representative system for India "cannot be created on any simple or consistent theory" (page 78). The entire system of administration is presented in its historical development, the evolution of each part being described since its origins. Readers of Ilbert, Strachey and Chesney will obtain here a non-official view of the workings of Indian polity.

Mr. Ramsay Macdonald's criticism of the existing system of government is for the most part that of the non-revolutionary nationalists (pages 43, 45, 51, 52, 91, 106, 113, 206). He does not, however, accept the nationalist opinion that "the land tax is the cause of the poverty of the Indian cultivator" (page 140). Considerations of economic theory compel us to endorse his analysis of Indian taxation as generally sound (pages 140–144) and to agree with much of what he says about the oft-discussed "drain" of India's wealth to England (pages 148–153). It is, indeed, only by recognizing a fundamental distinction between the economics of a subject race and the economics of imperialism that we can understand why some of the A, B, C's of economic thought are persistently ignored by Indian politicians and theorists in their discussion of foreign trade, land revenue, permanent assessment of rural areas, railway finance *etc.*

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If, as an imperialist, the British Laborite advances views that are distasteful to Young India, as a socialist he flies in the face of some of its postulates. Speaking of the tariff, he says that "whoever has visited the working-class districts of Bombay with their squalid overcrowding, their filthy dens of disease, . . will pause before welcoming any rapid strengthening of the economic influences which maintain them until a public opinion and body of legislation have been created to protect the people whose labors will be necessary for the new factories" (page 133). The nationalist will probably rub his eyes after reading this and declare that a morganatic alliance between Indian Nationalism and British Labor is an unnatural union. For according to the orthodox philosophy of nationalism the adjustment of relations between labor and capital in each state is a domestic problem, and must not be used as a pretext for intervention on humanitarian grounds by a foreign power or for the prolongation of alien control over a subject country.

Yet on the whole, the transition from the position of British Labor to that of Mr. Lajpat Rai is not difficult; for, after all, the demands of Indian constitutionalists dare not rise higher than, nor even differ materially from, the promises or "pious wishes" of their comrades overseas. The chief value of *The Political Future of India* lies in the publicity which the author has given to the party he condemns, the party of freedom, revolution and "direct action." This movement has had no historian and interpreter, but the account of all Indian attempts since 1905 to "make foreign government impossible" and of their ramifications in the public life of France, the United States, Germany and Japan, has been carefully collected for the British Government by Rowlatt, in his *Report on Revolutionary Conspiracies in India* (1918). It is on this bulky official document that Mr. Rai's summary is based (pages 147–175). His book, though it contains useful appendices, does not, evidently, aim at furnishing its readers with more than a veteran agitator's immediate reactions to the reform scheme proposed by Montagu and Chelmsford; as such it may be consulted as affording a glimpse into the mind of the Indian National Congress.

But the documents printed in the preface, bearing on the atrocities to which men, women and children in the Punjab were subjected in 1919, have a deep significance for social science, in so far as they constitute an index of the nature and extent of the degrading plight which none but a race that is hastening toward annihilation can tolerate in shame and silence. Once again it has been made clear that British

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rule in India, as white rule everywhere in Asia and Africa, exists by virtue of the military impotency to which the native peoples have been reduced by legislation and coercion. This aspect of the "white man's burden" seems to have been overlooked as much by the champions of the League of Nations as by labor leaders, international socialists and other varieties of radicals.

BENOY KUMAR SARKAR.

NEW YORK CITY.

Indian Nationality. By R. N. GILCHRIST. Introduction by Ramsay Muir. London, Longmans, Green and Company, 1920.—xviii, 246 pp.

This book, consisting of nine essays, had its origin in two lectures delivered at the University of Calcutta in 1915–16, which aimed to explain the racial background of the World War. Subsequently the author was led to discuss the question "whether there is or will be an Indian unity analogous to the unity of Canada, Australia or New Zealand" (page 55). The volume is thus a contribution to the comparative study of modern nationalism.

Professor Gilchrist's philosophy of nationality is calculated to demonstrate that "the Allies were fighting for the good of humanity" and "not that war in itself is right but that Germany was wrong" (page 44). The author takes no cognizance of the elementary fact of international politics that Poles, Czechs and other peoples have been enabled to form national states of their own, not because of their right to freedom but because in the conjuncture of diplomatic manoeuvers it had been decreed that the Teutonic empires should be crushed, and especially because there was a power strong enough, commercially and militarily or rather navally, to bring them to their knees.

Territory, race, language *etc.* are discussed in a popular manner as elements of nationality, which is described as "essentially a spiritual thing" (page 15). But while Mr. Gilchrist rightly rejects a monistic basis for what may be called the nation-making power, he overlooks the fact that in national movements one of the greatest "spiritual" factors is the will of a people to emancipate itself from foreign domination. The omission of this consideration vitiates fundamentally his analysis of the diversities of Indian life, although much of it is accurate, up to date and often original (see pages 48–153).

The author does not content himself with the statement that "in India there is a collection of nationalities without a single nationality for the whole" (pages 62, 210). The various aspects of *rapproche-*

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ment between Hindus and Moslems (pages 102, 103), the evidences of the constant flexibility of caste (pages 121, 123, 170) and the elasticity of Hindu law (pages 132, 133), as well as the "democratic movements" and other "constructive possibilities" (pages 138–141) in the social life of India today, have not escaped his searching inquiry.

Nevertheless, Mr. Gilchrist's logic for Asia is different from his logic for Europe. He is solicitous enough that the few thousands or hundreds of thousands of Croats, Moravians, Letts and Slovenes should attain to the dignity of national statehood (pages 28, 29, 30, 35, 37, 39). But the twenty language groups of India, each numbering more than a million people, some more than twenty-five millions and one or two more than forty millions (pages 63, 71), should be satisfied with Lord Acton's denunciation of nationalism (pages 31–35). Indeed, in the "small nationalities" of India our author cannot detect any unities except the unity of permanent subjection to a foreign race (pages 212–214). Their *intelligentsia* are condemned as sicklied o'er with "national neurasthenia" (page 39).

There is, it is true, as Strachey asserts, no India—but in exactly the same sense that there is no Europe. Orissa is at least as real as Belgium or Holland, the Punjab is no less a unit than Italy or the United Kingdom, and Bengal is more compact and homogeneous than France; and India has her Denmarks, Portugals, Greeces and Finlands. But Mr. Gilchrist fears that a province like Bengal, "with a dominant and strong vernacular," if left to itself, might easily claim the "complete vernacularization of education as a national right" (page 79). Why this apprehension? What would be the harm to democracy, civilization and humanity, even a champion of the League of Nations might be permitted to inquire, should the forty to fifty million people of a sovereign Republic of Bengal actually attempt such a thing and set up French, German or English as a compulsory second language, and Japanese, Russian or Spanish as a compulsory third?

Whatever be the political future of India, the student of constitutions will in the meanwhile appreciate Mr. Gilchrist's description of Indian finance as "federal," of the Canadian type (page 238). The tendency toward the federalization of India is further evident, as he interprets it, in the provisions of the Montagu-Chelmsford Report, which seeks by the institution of the Council of Princes to assimilate the 650 native states to the imperial system (page 245).

The parallel between the Roman Empire and the British Empire has often been drawn to the satisfaction of the "superior races." One

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need not quarrel with this, but when Mr. Gilchrist suggests that English officers in the Indian services are not more objectionable than European and American experts in the Japanese (page 221), one can not but feel that when an Englishman indulges in sympathy for a subject race he is likely to lose all sense of humor. The weakest chapter in the book is that on Tagore's *Nationalism*. The poet-essayist's idea that India's contribution to the world is to be made in the moral and spiritual sphere, and that what India needs is not political freedom but social reform (pages 155–156, 168), should have been regarded by a student of economics as one-sided, to say the least. Moreover, the author fails to detect in Tagore's lectures an intense anti-British animus which disguises itself under the mask of an all-round philippic against "the Nation" as Western "organized power."

Mr. Gilchrist does not seem to be acquainted with recent intensive researches in Indian history. In references to the polity of old India his ignorance is surpassed, however, by that of Professor Ramsay Muir, who contributes an introduction to the volume. The latter's sweeping generalizations in regard to Hindu legal, political and social institutions (pages xi–xiv) betray, in the first place, an inadequate comprehension of comparative history and, in the second place, an unquestioning reliance on the cheap indology popularized in the nineteenth century by Maine and Max Müller.

BENOY KUMAR SARKAR.

NEW YORK CITY.

The Italian Emigration of Our Times. By ROBERT R. FOERSTER. Cambridge, Harvard University Press, 1919.—xv, 556 pp.

Italian emigration, as it developed before the outbreak of the World War, was an evil for Italy, which, notwithstanding considerable economic advantages accruing to the countries that received it, was not compensated by a total world gain. The causes of this unprofitable emigration, partially natural and in part man-made, are to a large extent remediable. It should be a paramount policy of the Italian government to remove those disabilities, social and economic, which have led to the depopulation of entire regions of Italy and the ejection into a mainly unreceptive world of masses of predestined derelicts. Civilized nations in general should institute advisory international conferences in order to regulate migratory movements by a process of selection, and direct emigration to those countries which are conditioned for an efficient utilization of new race elements.

These are the conclusions reached by Dr. Foerster. They are not

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the result of preconceived notions but are based upon an exhaustive study of facts, patiently gathered, accurately weighed and brilliantly illuminated. The disastrous effects upon Italian agriculture of deforestation, of the prevailing malaria, of the insufficient rainfall, which to a certain extent justifies the continuation of the *latifundium* and the consequently restricted productivity of Southern Italy and Sicily; the result of absenteeism and of the general negligence of proprietors; the agrarian contracts of Southern Italy, which, in the main, encourage exploitation of the soil and cause incurable divergencies between the interests of the cultivators and those of the proprietors—all these conditions are described at length as the tragic background of the Italian emigrant who is forced to leave home by the scanty productivity of the soil, which in turn becomes scantier because of his departure.

The currents of Italian emigration are followed by Dr. Foerster in their various channels through Europe, Africa and America. An able comparative study of the fortunes of Italians in their different havens of refuge, and of their contributions to various nationalities, results in a rather dismal picture. Failure, malady, contemptuous depreciation on the part of natives—these are the sombre hues that strike the mind's eye throughout the book. There are indeed a few exceptions, but occasional glittering successes do not compensate for innumerable submerged wrecks. Dr. Foerster's conclusion is that Italians should stay at home, and that conditions should be improved so as to keep them there. His argument, a very just one, should be highly appreciated by Italians themselves. For—and this seems to be the burden of his whole investigation—the contributions of Italy are great assets to civilization, but these are diminished by the world-wide dispersion of her people. What Italy does, she does under the flag.

The voluminous literature on the subject has been used by the author to good purpose. The varying values of the different sources are estimated, and the reliability of official documents is subjected to sound tests. Excessive consideration has been given, however, to journalistic "authorities" and especially to those of Italo-American *provenance*.

Though fully aware of the intricacies of the subject, of the interaction of different factors, of the vicious circles which the causes seem to follow, the author occasionally advances opinions that are unwarranted. For example, he speaks of the disastrous effects of the Catholic Church on Southern Italy. The church as such is not responsible for the backwardness of certain regions, but rather the attitude of the local clergy depends upon environing social and economic conditions.

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For elsewhere in Italy church affiliations are prominent in organizing rural credit and actively engaged in the work of social betterment. Attempts to generalize concerning the characteristics of the Italians are not to be taken seriously. The search for common national traits, if soundly conducted, would inevitably lead to negative results. On page 425 we are told: "The Italian is indeed a prudentialist. Ideas do not fascinate him. He reflects and evolves ideas, but all cogitation which does not quickly and surely bring the wished-for gain, generally a personal gain, he terminates and abandons." If Dr. Foerster would pause to recall how often the very opposite of this has been said of Italians and how often this same statement has been made of other nationalities—the American, the German, the English, for example—he would see how futile are such generalizations about unrealities. What does he mean when he speaks on the same page of the "emphatically objective character of Italian philosophy"? And when he calls our attention to the "relatively meagre development of any but dramatic music" in Italy, does he really think that the music of Italian opera is dramatic? It is not true, as stated on page 498, that "Italian socialists are largely from the South." On the contrary, they are preponderantly from the North. On page 495, "Giulio De Frenzi" and "Luigi Federzoni" are mentioned as two of the "best known of the Nationalists." These two gentlemen are in fact one, his two names being anagrammatical.

Throughout the book the author assumes the existence in Italy of relatively undemocratic institutions. We cannot but challenge this view. Dr. Foerster must surely know that practically universal male suffrage exists today in Italy. The new suffrage laws insure to political parties a representation in Parliament proportionate to their numerical strength. The parliamentary monarchy of Italy responds to public opinion not less promptly than do other forms of government in Europe or outside. No one can help noticing how prevalent in Italian politics is the effort to reconcile social exigency with individual aspiration.

Of course, prevailing conditions in many parts of Italy have prevented the national institutions from bearing their full fruit; but defective operation does not argue inferiority of mechanism. Could these conditions, which have, no doubt, hampered the social and economic progress of the nation, have been to a great extent eliminated? Has Third Italy misused the first half century of her life? She might have reduced taxation, drained her marshes, overcome illiteracy and raised her standard of living. Instead, she has squandered her re-

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sources in armaments and colonial ventures, neglected internal needs and fostered policies of national aggrandizement. Such a brief can, indeed, be held against Italian statesmanship, which, it is argued, might have given to the kingdom the material well-being and the international insignificance of a Switzerland or a Sweden.

But Italy was created out of the memories of civic greatness and cultural supremacy. The inert, oppressed and sundered masses of the Italic population were finally brought to a life of unity and independence by the force of an idea, which, handed down the centuries from Petrarch to Alfieri, lived in the name of Rome. This idea, vitalized by the blood of the martyr patriots of the nineteenth century, in the tortures of Austrian dungeons, in the calvaries of Italian outcasts, became the spiritual constitution of Third Italy—not a covenant of reckless imperialism but a consciousness of past greatness, a will to future accomplishments pledged by a faith in sacrifice. Italy must be a world power or not be at all. And her abnegation was more potent than her poverty. At the cost of burdensome taxation, of a reduced standard of living, of a partial neglect of social improvement, the national consciousness was kept alive. And when the ordeal came, the armor was wrought and the warrior was ready—fortunately for Italy and fortunately for the world.

DINO BIGONGIARI.
COLUMBIA UNIVERSITY.

Some Ethical Questions of Peace and War with Especial Reference to Ireland. By the REV. WALTER MCDONALD, D. D. London, Burns and Oates, Ltd., 1919.—220 pp.

Its very modest title should not conceal the fact that this is one of the most remarkable books on the Irish question which has been printed in the last half century. It is remarkable for the truthfulness of its historical statements, the soundness and fairness of its logical reasoning, its impartial and judicial method of discussion, the courtesy of its author in dealing with those with whom he disagrees, and above all for the fact that it emanates from the most famous Irish Roman Catholic seminary. Its author is a professor in the Faculty of Theology in Maynooth.

Though Dr. McDonald is a Celt of the purest Celtic lineage, his book is in striking contrast with those of all other Celtic writers on the Irish question, either Sinn Fein or Nationalist, in the entire absence from its pages of that passionate, misleading declamation and that egotistical, turgid rhetoric which disgust every fair-minded reader.

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From the first page to the last, it breathes an ardent longing, one might almost say a passion, to know and tell the truth, to hold the scales firmly between conflicting arguments and to register unbiased judgments. "To my own people, of the Gael," he says in the preface, "is due the best I have: truth; if, indeed, I have it. Truth is bitter. Like other bitter things, it is wholesome: in politics and economics, as in things spiritual, it and it alone makes us free."

A notable feature of the book is its terse comprehensiveness in discussing this labyrinthian and tortuous question. Within the compass of 220 pages of fairly large type are found all the main arguments commonly heard in discussions of the Irish question, fairly stated and analyzed. The book will not attract the superficial reader, looking for sensational epithet or striking metaphor. But the reader of more earnest and scholarly disposition will gain much from a careful reading of it. Any college class under a competent instructor would acquire valuable training in logic and the refutation of fallacious argument from a faithful study of it.

To judge from a passage on page 84, the author is a man approaching three score and ten. All his utterances with regard to the relations of Ireland to the United Kingdom bear the marks of ripe experience and common sense. Celt though he is, he shows no spark of hatred for the British. He believes that the Union has been of great advantage to Ireland and has no sympathy with the common charge that Ireland is oppressed by England. It would seem that he shares the opinion of Admiral Dewey that the British Empire is one of the most powerful factors in the world for the spread of Christian civilization. On page 167 he says: "To read some diatribes against England, one would think the world would be much richer, happier and more prosperous, if Columbus had not succeeded in reaching America, or if a white face never showed itself south of Assouan. The human race, in my opinion, has gained immensely as a result of both events, as has Egypt also and Hindustan, by the English occupation."

His critical and forensic powers appear at their best in the chapter on conscription, in which he severely criticizes the attitude of his church toward the conscription law of 1918 and deftly refutes the lame apology made for that attitude by the Dublin Jesuit, Father Finley. "Like war no doubt, conscription is very undesirable," he writes. "But the argument for conscription is simplicity itself. It is foolish and cruel to go to war without the least chance of success. There is, however, no glimpse of hope for a nation, that without conscription fights another equally resourceful and conscript nation."

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His position on the subject of Sinn Fein, with its mischievous application of the doctrine of "self-determination," is indicated in the following quotation, which closes the chapter entitled, "Of Some Conditions of Complete Self-Determination."

> Great Britain with all her resources, will find it very difficult to hold her trade in the new era. But, even loaded as she is with debt, she is in ever so much a better position than we; with our poverty, lack of resources, and of industrial and commercial experience. There is only one way in which we could hope to better ourselves by separating from Britain—by continuing to share in the fruits of her trade, without doing our part to maintain it; taking of the profits without paying the price. If permitted, it might succeed for a time, but would surely lead to ruin ultimately. In any case, it is not the way of honour.
>
> Let these islands do their best—standing loyally back to back, dealing equal justice, man and master making equal sacrifice—and still they will find it hard to live and keep their trade in the days that any one can see coming. Let us pull against one another—Labor against Employers, Briton against Irishman, each striving to get the other to bear more than his share of the common burthen—and we are all sure to go down together. Should the trade of Britain fail—as is but too possible—I do not know how ours is to maintain itself. And I, for one, do not want the Self Determination that is allowed to rule a bare cupboard and an empty purse.

It is to be regretted that Dr. Walter McDonald of Maynooth is a very rare exception among his co-religionists in Ireland and the United States.

George L. Fox.

New Haven, Connecticut.

Origin of Government. By Hugh Taylor. Oxford, B. H. Blackwell, 1919.—viii, 259 pp.

Mr. Taylor harbors the notion that his theory of the origin of government is both novel and scientific. But in fact the theory is an old one restated in new language—that government, or the state, was born in war; and in spite of a scientific atmosphere diffused by clever dialectic and special terminology, it is in some respects hardly more scientific than the social contract of Locke and Rousseau.

All investigation of the subject, we are told, must "start completely afresh with Darwin and the struggle for existence." Unfortunately Herbert Spencer, in assuming that the universal competition of individuals resulted in the suppression of unworthy specimens and that the rise of civilization and the development of higher moral relations actu-

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ally took place "quite independently of any adventitious aid from government," distorted the Darwinian principle—misread and misapplied it. Mr. Taylor denounces "the survival of the fittest" as an imposter term. The morally fit could never have survived in the struggle for existence. "The qualities which gave the earliest types of savage existence their predominance over other types are absolutely opposed to the moral qualities demanded at a later date, and could in no way have conduced to their development. We may go further and say that the qualifications for success in savage life are not merely such as do not assist, but such as do actually tend to negative, the process of civilization" (page 19). This assertion, in varying forms, is repeated over and over again; and on page 35 we read: "There is only one power capable of repressing the struggle for existence with sufficient vigor to permit a survival and perpetuation of the gentler virtues, and that is the power of government."

Mr. Taylor may possibly be right in his contention; but he adduces no evidence whatever to show that he is right. May not a critic, therefore, contend that moral qualities—self-control, loyalty, justice—actually did contribute to success in the primitive struggle for existence? Mr. Taylor himself emphasizes the vital part played by qualities not essentially savage or brutal. "The development of his reasoning powers gave man a decisive advantage, first over the wild beasts by whom he was surrounded, and then over human rivals" (page 77). From the very beginning, indeed, the struggle for existence had an intellectual, "a refined and idealized phase" (page 40). And it is admitted (pages 83–84) that before government began, the struggle for existence, now taking a collective instead of an individual form, had brought into being some of the gentler virtues. But if, overlooking apparent contradictions, we accept as sound the contention that the struggle for existence was incapable of producing moral qualities, then Mr. Taylor's theory of the origin of government itself seems untenable; for he maintains that government, which alone rendered possible the perpetuation of morality, originated in the struggle for existence—an indirect admission that morality originated in the same way.

"If government originates in the struggle for supremacy, why," asks Mr. Taylor (page 72), "does it so originate?"

To answer the question attention must be drawn to a striking event which took place about this time in the history of the world. Shortly before the origin of government there was an important addition to the number of beings who had hitherto fought with one another over the surface of the habitable globe. Between the epoch of the Darwinian struggle for ex-

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istence and semi-civilized times the social organism was born, and the outlook of the whole human portion of the world was radically changed. With the appearance of the social organism the former status of the human individual and his relation to other members of the same species underwent a definite alteration. He no longer enjoyed the unregulated individual existence which had been the lot of his predecessors throughout the whole previous course of organic evolution. . . . The individual has lost his self-determined status.

This social organism, however, is not the state. Mr. Taylor does not explain what it is or just how it came into existence; at one time it seems to be a family group (page 85); at another, the nation (page 221). But the fact that each social organism is engaged in a ceaseless struggle for existence with other social organisms opens the way to the institution of government. "The rise of government in any particular community gave it a decisive advantage over others of its kind. . . . Government according to the present view may be regarded as a device of nature for the protection of the social organism, a superior kind of equipment developed for the purpose of meeting certain special needs in the struggle for existence" (page 77).

This is the story of the origin of government given as the author gives it, with great brevity and devoid—perhaps necessarily—of any supporting facts. The author seeks to justify his theory, indeed, not by an elaborate and imaginary reconstruction of the originative process but by appealing to the known facts of political evolution in later times. A phenomenon as universal as that of government, he contends, must have behind it a motive equally universal—one that can be applied to the most advanced stage of civilization as well as to the chaos of primitive barbarism. He attempts to show that his own theory will explain not only the origin of government but also its continued development. In periods of political disorder, "when the bonds of social discipline are relaxed and society is resolved into something like its primitive elements," the strong man seizes power. He "reoriginates" government, as did the Greek tyrants or the kings who built new nations on the ruins of the Roman Empire. This process of reorigination, resulting from a struggle for supremacy, is the natural antidote to the anarchy which threatens the social organism; it does not interrupt but continues political development; it is evolutionally justifiable. Absolute monarchy is a necessary, even though a dangerous, instrument of political discipline.

There is no reason to suppose that Mr. Taylor, however skeptical he may be about the future of democracy (see pages 254–5), wrote his

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book as an apology for absolutism. His preference is for another form of government, defined as "fixed" (not "fixed" in the politician's sense), in which the constitutional arrangements rest on general acceptance and the ablest men strive for political distinction without any thought of overthrowing them. It is only when "fixed" government breaks down, when it fails to attract the ablest men to its service and no longer commands sufficient authority, that the Darwinian principle once more asserts itself freely in a renewed struggle for supremacy. The apology for dictatorship is here, however, for those who wish to make use of it. The gospel of violence has found a new prophet, and one whose doctrine is more constructive than that of Georges Sorel. The "man on horseback" will make his appearance as a scientific phenomenon, a beneficent "antidote," an instrument in the hands of the higher law of social evolution. If anyone is bold enough to ask for his credentials, he will appeal from the old prophet to the new, from Rousseau to Taylor.

E. M. SAIT.

The Emancipation of Massachusetts. By BROOKS ADAMS. Revised and enlarged edition. Boston, Houghton, Mifflin and Company, 1919.—vi, 534 pp.

The only important difference in this new edition from the original form of this well-known work is a preface of 168 pages by the author. This will be a source of much joy to the judicious reader. It has but little discoverable relation to the body of the volume; but nobody expects to find any obvious relation between what Mr. Adams writes from time to time and what has been written by him or by anybody else at any other time. He is a privileged character in the philosophy of history and of life in general.

The first hundred pages of the new preface are devoted mainly to a character study of Moses. It will not to any great extent be substituted in Sunday-schools and Chautauqua circles for the older interpretation of that distinguished historical character. The point of view of the author is distinctly modern, not to say futurist. A few of the salient points in the discussion may be interesting and suggestive.

Summarily stated, Mr. Adams's thesis is that Moses invented Jehovah, the Ten Commandments and most other things in the history of the Children of Israel, for the purpose of gratifying his ambition, greed and lust for power. Like most men, Moses was of composite make-up; probably few men have been more spectacularly

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composite than he, as Adams depicts him. He was "the first great optimist," law-giver, idealist, religious prophet, visionary, political adventurer, keen and unscrupulous man of the world. The leading rôles in which his career is studied here are those of necromancer, scientist, statesman, priest, military commander. As a necromancer he was a fair success, having learned the trade from the Egyptian and Chaldaean experts. As scientist, he adopted the theory of a supreme energy which controlled all the affairs of life, and believed that he had discovered and could direct the action of this energy. His practical philosophy was like that of Benjamin Franklin—be virtuous and you will be happy, not in a future world, but right here in this. This scientific doctrine Moses combined with his necromancy and worked rather successfully. The passage of the Red Sea was the climax of his achievement in this respect. As statesman and as priest, Moses seems to impress Adams as clever and specious rather than great. As soldier he was beneath contempt. His Midianite father-in-law, Jethro, was the best adviser on civil and religious policy that Moses had; and Jethro's quitting the expedition through the wilderness was a grievous blow. Things went steadily to the bad after that. Joshua was a good military leader and helped Moses in manufacturing the stone tables of the law; but there was no civil capacity in this soldier, and he could not be depended on for general purposes. Aaron was venal beyond description, and only after Moses had made him head of the priesthood, with great wealth and distinction, did trouble between the brothers cease to imperil the whole expedition. Even then Moses was obliged ultimately to put Aaron to death on Mt. Hor. The sister Miriam gave Moses a lot of trouble also, and he had to discipline her by giving her the plague. When at last the Israelites were just on the verge of Canaan, and it appeared to the "general staff," Joshua and Caleb, that they were going to have a fight for possession, Moses's courage gave out entirely, and he turned the people back into the wilderness. Then he went up on Mt. Nebo and committed suicide.

This ingenious and unconventional account of Moses and his achievements enables us, Mr. Adams thinks, to draw inferences touching our own immediate future. He draws them in the remaining 68 pages of the preface, the process involving a consideration of the later history of the Israelites, and of the Roman Empire, the Papacy, the Crusades, the Feudal System, the French Revolution, George Washington, English industrial and naval power, the rise of the rman empire and other more or less familiar incidents of history.

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Moses is "connected up" with all these topics by Adams's doctrine of "vested interests." The Levitical priesthood was a vested interest; so was the Roman Empire and the Roman Church and pretty much every other institution of importance in history. If the author's use of this term is somewhat loose, his general meaning when he uses it is not hard to perceive; it signifies whatever results from the "lust for power and wealth."

Along with the vested interest the "world movement of the economic centre of gravity" enables Mr. Adams to solve all his problems. The conclusion reached as to what is before us at the present time is important if correct. It is nothing else than war between Great Britain and the United States (page 162).

A captious historical critic might easily find in this essay a few points on which to dissent from the author's views or question his statements of fact. But of course no one will actually do it, not even in respect to the statement on page 23 that Joseph settled his brethren and family "in the province of Gotham." This is at variance with the hitherto accepted story; but taken in connection with the well-known identity of the ten lost tribes with the Red Indians, it will enable Mr. Adams to develop a plausible explanation of the vested interests of the descendants of Joseph and his brethren in the City of New York to-day. WM. A. DUNNING.

Political Thought in England from Herbert Spencer to the Present Day. By ERNEST BARKER. Home University Library No. 98. New York, Henry Holt and Company.—256 pp.

Many persons will find in this volume as useful, interesting and attractive a number as the series in which it appears can be expected to produce; and very useful, interesting and attractive numbers have already appeared.

An objective presentation of the political theories of the last thirty years requires a wide knowledge of both the literary and the practical aspects of politics during the period, as well as a special endowment of scientific poise for their evaluation. Mr. Barker meets these requirements perfectly. Those who are acquainted with his work in Greek political thought will not be surprised to find this the case. He furnishes another example of the cultivated Englishman whose thorough training in the classics of antiquity proves a particular qualification for dealing with contemporary political philosophy.

To start "from Herbert Spencer" makes it necessary for Mr.

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Barker to deal somewhat fully with this starting-point. When the treatment is finished there is not much left of the *terminus a quo* so far as coherent political theory is concerned. The forty-seven pages devoted by the author to Spencer—much the longest chapter in the book—is an admirable specimen of destructive criticism. Mr. Barker knows his Spencer through and through, and the exposition of the Spencerian system is in itself an achievement of distinction. Adding to this the exhibition of the crudities and incongruities that abound in the system, Mr. Barker attains a high position among philosophers of politics. It is just possible that the tributes to Spencer's contributions in other than primarily political theory are unduly meagre; but the author was not bound by the circumstances of the case to deal with these other fields.

One feature of the estimate of Spencerism is particularly interesting to the reviewer. Nearly thirty years ago he ventured to suggest in the pages of this QUARTERLY (vol. viii, p. 182) a certain parallelism between Spencer and Plato. The suggestion was based on only a very moderate familiarity with Spencer's system. It is naturally gratifying to find Mr. Barker, with his full knowledge of that system in all its stages, repeatedly characterizing it as essentially idealistic and Utopian.

Hardly less striking than the treatment of Spencer is the analysis of Thomas Hill Green's doctrine. Here, however, Mr. Barker is markedly sympathetic. His estimate of both the character and the influence of Green's work is just and sufficient.

The division of his field that is adopted by Mr. Barker enables him to touch upon not only the major but also the minor streams of thought that make up the general current of political theory. His categories include the thought of the idealists, the scientific school, the lawyers, "Literature," and "Economics and Politics." Thus he is enabled to begin with Green and come right through to Norman Angell. Between these limits are considered in their proper places Huxley, Bagehot and the sociologists (the "Scientific School"), Carlyle, Ruskin and Matthew Arnold ("Literature"), and the socialists ("Economics and Politics"). Exception might be taken to various items of this list; why, *e. g.*, does Mr. Barker play the game of the philistines by assigning the adjective "scientific" to those only who are especially addicted to the phenomena of the material world? But the query that will rise in every thinking mind is: Why is not the last category explicitly "Socialism"? That would include all its contents except Norman Angell. Was a special form of title worth while in order to bring this writer into the book? Possibly, if it was written before

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August, 1914. That this was the case appears to be proved by the sentence: "Mr. Norman Angell is one of the many contemporary forces which make for the discrediting of the state." How anachronistic this now seems! In 1909 Norman Angell proved that war between civilized peoples was impossible. Since August, 1914, he has by unanimous consent ceased to be a "force" of any kind.

WM. A. DUNNING.

The National Government of the United States. By EVERETT KIMBALL. Boston, Ginn and Company, 1920.—v, 629 pp.

In current thought about what is called "Americanization" it is commonly assumed that the poultice is to be applied only to those who have been transplanted from foreign soil. It may, however, be doubted whether their need is greater than that of many of the Sons and Daughters of the American Revolution. It would be interesting to know how many of these children of revolution are familiar not only with the Boston Tea Party and Paul Revere's Ride but with the still more important fact that "in almost every town either a self constituted group or a committee appointed by the the town meeting began to correspond with similar committees in other towns." Perhaps in these troublous times Mr. Kimball should not mention this revolutionary form of governmental organization, even though he avoids present-day nomenclature. It may be still more questionable whether he should add that "'honest men'—in other words, revolutionists—were alone chosen for those committees." On his behalf, however, it should be said that he is laboring under the limitations imposed upon a scholar by a tradition that he should tell the truth. He sees our national government as a process to be understood and not an imaginary altar for burnt offerings of oratory.

That there is widespread need of such understanding is not likely to be denied, even though we reject as apocryphal the story of the Princeton professor who was going to vote for Marshall as vice-president but not for Wilson as president. No one by reading our paper Constitution can learn much about our system of government. The parchment is but a beginning. Judicial interpretation and political practice make and remake the major sections of our living Constitution. A knowledge of this practice and interpretation is indispensable to any genuine insight into American institutional life. As a contribution to this knowledge and this insight, Mr. Kimball's volume is most valuable. Without neglecting history and political practice, he has included more of judicial interpretation than is found in most books of similar char-

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acter. As he says in his preface, he has "attempted never to lose sight of the fact that the Constitution is the supreme law of the land, and its interpretation by the Supreme Court is, until altered, authoritative." He therefore quotes "freely from the opinions of the Supreme Court." Whether he is wholly right in thinking that "the exact words" of the judicial opinions "show the process of arriving at conclusions" may perhaps be doubted. The reasons which we urge in favor of the excellence of our conclusions are not always a sure guide to the process by which the conclusions were reached. Not all judges are immune from this human frailty. To recognize this, however, is not to doubt the desirability of quoting liberally from judicial opinions in any work on American government. And Mr. Kimball's discussion in his chapters on the judicial system will dispel any misapprehensions that his preface might otherwise provoke.

The arrangement and emphasis of the volume are admirable. The first three chapters on the historical background are followed by a consideration of constitutional principles. A discussion of political issues and party organizations wisely precedes the study of the three formal departments of government. For the electorate is in reality a department of the government, and it is well to emphasize the fact. The national electorate is not yet decently organized for effective expression, but our organized state electorates have not thus far sanctified by success the mechanism by which their organization has been attained. Mr. Kimball points out the evils as well as the present necessity of our national party organization. He then considers the executive, the legislature and the judiciary, and closes with six chapters on the powers of the national government as a whole, pointing out as he goes along the powers reserved to the states. One of the striking merits of his contribution is the happy blending of his portrayals of form and of function. The mechanism is for use. The ends to be gained must be sought through the given means. The anatomy and the physiology are interdependent.

THOMAS REED POWELL.

The Mathematical Theory of Population, of its Characters and Fluctuations, and of the Factors which Influence Them. Census of the Commonwealth of Australia, Appendix A, Volume I. By G. H. KNIBBS. Melbourne, McCarron, Bird and Company, 1917.—xvi, 466 pp.

This important and distinguished treatise presents a very careful and elaborate critical analysis of the population census of Australia in

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1911; but it does this against the background of population data for many other countries of the world, and the comparisons are of such a nature as to make the volume valuable to students of population statistics in general. It is also equally a development and discussion of method, largely mathematical, of analysis, refinement and accuracy; and it will probably serve for many aspects of population measurement as a source and guide in the future. Throughout the volume, also, are discussions of certain population theories and problems. The task undertaken is comprehensive and of great importance for the study of population.

As to the arrangement of material, there are eighteen chapters, the first seven of which concern the mathematical methods and formulae used in the analysis of the data set forth in the succeeding chapters. For a thorough understanding these seven chapters should be read, although the non-mathematical reader can get a good deal of the analyses and conclusions without following in detail this discussion of method. Other chapters deal with sex and age distribution, natality, nuptiality, fertility, fecundity and migration. An index, a detailed table of contents, footnotes and cross-references contribute to the usefulness of the volume. The style of presentation shows a great abundance of definition and considerable display of terminology, such as diisogeny, protogamic, orthogonal *etc.* There are 107 diagrams and 686 formulae and equations. The base of the Naperian logarithms is carried out to thirteen decimals ($1=2.7182818284590$). The volume concludes with a paragraph on the trend of destiny.

The work is a conspicuous success as a refined analysis and digest of population data. The analysis is minute and carried as far, apparently, as the data will permit, and is put in such a form as to facilitate comparisons and to make the factors apparent (wherever the data on the various factors have been collected). These analyses are difficult to summarize for a reader of a review, very much as it is difficult to summarize a population census. There is no outstanding thesis to be proved, and the measurements are somewhat scattered and uneven in significance. Thus in the chapter on nuptiality are presented the marriage rates for various countries, compared with births, deaths and divorces; the fluctuation of marriage rates by years and by months; the conjugal numbers at each age; divorce rates over a period of years; corrections for the ages of brides; and the effect of masculinity (or femininity) of the population on conjugal ratios.

The penetration of the analysis is very well shown by a consideration of such points, for instance, as the probability of twins according to

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order of confinement or the proportion of births attributable to prenuptial insemination. The author in a number of instances admirably goes to great pains to determine correct age statements by estimating the relative over-statement and under-statement according to true ages. On such subjects as birth rates and death rates the statistical development has been relatively satisfactory in a good many countries, and the author's contributions on these phases are not so conspicuous as on others. However, on fertility and fecundity, which, because of its difficulty of measurement and complexity of analysis, has not been so satisfactorily developed by others, the author has a most excellent discussion and analysis, covering 137 pages of the book. Particularly satisfactory, for instance, is his consideration of sterility as seen in the tables and charts of sterility ratios according to age and duration of marriage.

Of the methods employed, the one most frequently used and at which the author is best, is the smoothing of curves and the description of tables in mathematical terms. The mathematical description of a table is, of course, not merely a change of terms, but such an expression facilitates greatly the use of the material, in addition to being a refinement in accuracy. The author does not use the correlation coefficient, the standard deviation or the "probable error." However, he does employ, where the data permit, the equation of the straight line which yields for many purposes fuller information than the coefficient of correlation. And the census data, perhaps, do not call for the use of the "probable error" as notably as do smaller samples. The method, however, is very largely descriptive, that is, the outstanding feature is not the discovery of causes or the solution of problems as such. Description, of course, does get at causes and factors; but as a population census is largely descriptive, so no doubt must be much of its digest. Often, however, the development of the descriptive analysis does assume the aspects of fairly elaborate and involved theory. This is true, for instance, of the author's theory of the probability of marriage in age groups according to varying inequalities in sex distribution. For example, in cities on the Pacific coast of the United States the proportion of the population married is small compared to the proportion married in the southern states. This may, however, be due not to custom but to the fact that there is a great excess of males in the Pacific coast cities and a more equal distribution of the sexes in southern cities. The theory of the probability of marriage according to varying inequalities in sex distribution is applicable to a problem of this sort.

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In the study of population Mr. Knibbs' volume marks a step of great significance and importance. It would be fortunate if the next census of the United States could be so integrated as to permit a fuller analysis, and it would also be desirable if Mr. Knibbs' lead in analysis and digest were followed here. WILLIAM F. OGBURN.

Gold, Prices and the Witwatersrand. By R. A. LEHFELDT. London, P. S. King and Son, Ltd., 1919.—130 pp.

This volume on gold production and prices would have been even more interesting to American readers than at present a year or so ago, at the time when the so-called underproduction of gold was an urgent topic of discussion, and when our own Treasury, as well as the Government of Great Britain, was at work in the endeavor to see what could be done to stimulate output. As things stand, Mr. Lehfeldt's book will appeal to a more limited group of readers, but it is nevertheless sufficiently simple and straightforward to enlist the attention of any one who is at all interested in the subject. The author thinks that some action designed to render the value of gold more stable is much to be desired, and that we should strive for this rather than consider the abandonment of gold as a standard of value. As for supply, he holds to the view that the demand for gold is likely to exceed it before many years and that the present policy with regard to gold mining should be to reserve a large supply of gold ore for development when prices show a tendency to fall rather than to urge an increase of output. By pursuing such a policy he believes that it may be possible to prevent great fluctuations of price for a generation or more. Economic doctrine, he holds, is against an increase in output of gold while what he calls "legitimate vested interests," especially in South Africa, are against a decrease.

Mr. Lehfeldt's views as to the future of prices are very interesting. He says that after the war "it is to be expected that prices will drop rapidly," although he adds that "so far as high prices are due to currency inflation they can only come down" by the redemption of paper currency or else by an increase of the commerce of the world up to the level of the inflated currency. This is a rather bald statement of a theory of prices which is now somewhat discredited. In fact, in all of the author's treatment he is a good deal weaker on the economic side than he is in his outlines of technical problems, notwithstanding that the subtitle of his book describes him as Professor of Economics at the South African School of Mines and Technology. He seems to

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take the view that the quantity of currency and money is practically the sole determinant in prices, and he places less stress upon changes in the supply of commodities, the amount of money work to be done and other modifying factors, than almost any other writer of the present day. In speaking of paper substitutes for gold, he admits the effect of bank issues in displacing gold, but checks, he thinks, cannot be compared with coin, although a truer analogy is to be drawn not between the check and the coin but between the coin and the bank deposit. "Funds for payment are represented, fairly closely," he says, "by deposits on current account . . . in addition, of course, to coin and notes." After a study of bank deposits, their use and volume, he comes to the conclusion that the effect of the deposit system is really that of increasing the velocity of circulation or the frequency of the use of money. This view, however, has not apparently been kept in mind in the author's later discussion of the relation between gold production and prices. After all, according to Mr. Lehfeldt, "in the natural world, an increase in trade implies an increase in the demand for gold, and the real question is not whether the supply is increasing, but whether it is increasing faster or less fast than the demand."

Appendices to the volume furnish some useful data concerning stocks of gold and statistics of production, together with interesting formulae relating to the valuation of mines. *Gold, Prices and the Witwatersrand* is a useful handbook for the student of money and banking, no matter whether he agree with the author's theory of prices or not.

H. PARKER WILLIS.

COLUMBIA UNIVERSITY.

Die europäischen Kriegsverhandlungen. By MAX BEER. Bern, Ferdinand Wyss, 1915.—xi, 392 pp.

To the end that all the plain people who read no language but German might form, or might think that they were forming, a well-grounded opinion as to the immediate causes of the World War and might locate the responsibility for its outbreak, Dr. Max Beer published in Switzerland, early in 1915, in one handy volume, an edition of the documents printed by the seven original belligerents, making his own translation into German of those documents that were primarily published in other languages. He does not include all the documents but selects those that seem to him essential to the attainment of a correct judgment—those that he considers "*massgebend.*" Of the material published by the British government, for example, he finds

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much less than one-half worth reading. From the documents selected he further eliminates all "repetitions." He is thus able to bring what he regards as the essential content of all the official publications into 320 pages of fairly large type and to find room in these pages for numerous footnotes of his own. In order to present the negotiations as a connected whole, he arranges the documents (as Dr. von Mach did for us) in chronological order, day by day from June 29, 1914, and within each day in appropriate sequence (*sinngemäss*).

In any such process of selection and arrangement it is obvious that a mass of conflicting evidence may be essentially falsified, either deliberately or as a result of initial bias. Dr. Beer has not, however, so far as the reviewer has tested his work, suppressed any of the most important documents or presented them in other than a suitable order. His translations from the English and the French are (again so far as the reviewer has tested them) essentially accurate. It is in his comment that pro-German bias and propagandist purpose are revealed. In an introduction of fifty-four pages he tells his readers what they will discover in the documents; in frequent and lengthy footnotes he points out to them what they are discovering; and in a final chapter of eighteen pages he summarizes their principal discoveries. All this exegesis is orthodox, according to the strictest interpretation of the Berlin creed. In his introduction, moreover, Dr. Beer is careful to protect German searchers for truth against heretical conclusions by giving them a critical estimate of the honesty and credibility of each of the various governmental publications. Each, as he recognizes, is intended to show the guiltlessness of the publishing state and the guilt of its adversaries. He finds, however, that the construction placed upon events in the German White Book and in the Austrian Red Book is "solid and convincing." The English Blue Book and the French Yellow Book, on the other hand, excite critical suspicion, and a comparison of these with one another and with the Russian Orange Book, reveals inconsistencies (pages 15 *et seq.*).

Dr. Beer's propaganda is the more effective because, in form and in phraseology, it suggests always a scrupulous observance of scientific methods. There is a lapse into vulgarization only on the cover page, which is decorated with spectrum-like stripes of red, white, blue, yellow, orange and grey, and bears the super-title of "The Rainbow Book" (*Das Regenbogenbuch*). In this, too, there is good psychology: the suggestion, humorously conveyed, that the documents to be examined are airy nothings, *Luftgebilde*, prepares the reader to distrust the text and to accept the editor's expert critical comment.

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It may be assumed that the Central Empires placed no restriction upon the importation of this neutral literary product.

MUNROE SMITH.

Traditions of British Statesmanship: Some Comments on Passing Events. By The Honourable ARTHUR D. ELLIOT. New York, Dodd, Mead and Company, 1919.—x, 231 pp.

Many books on various aspects of the war, published during the war, lost most of their value when the great conflict came to an end. Scores of these are today of service only as waste paper. There is much internal evidence to show that Mr. Elliot's *Traditions of British Statesmanship* was written during the last twelve months of hostilities, but despite this fact, it loses none of its interest or value because it was prepared while the struggle was still in progress and its publication delayed until the advent of peace. Even more than this can be said of it. It is a book that will take high and permanent place in the literature of non-military aspects of the war. Its contains an admirable but restrained exposition and defence of the foreign policy of Great Britain from the end of the Boer War to the outbreak of the World War and an excellent study of the attitude of Great Britain toward the German Empire during the twelve years from 1902 to 1914.

It is an unanswerable case that Mr. Elliot presents, and it could have been made even stronger had he gone a little farther afield and dealt in some detail with the colonial policy of Great Britain. For many years after responsible government had been conceded to the present British Dominions, the Colonial Office continuously and persistently sought to restrain them from enacting any fiscal legislation that might give rise to friction between Berlin and London. There are singularly few manifestations in the book of the extreme partisanship that was characteristic of so much written by Englishmen while the war was in progress.

Traditions of British Statesmanship will be of real value to students of political science on account of the attention which Mr. Elliot devotes to the almost revolutionary changes in political life and organization in England which were occasioned by the war. Even now, more than eighteen months after the signing of the armistice, political and constitutional England has not recovered itself. Full recovery, indeed, is likely to be exceedingly slow; and unfortunately there seems good ground for Mr. Elliot's apprehension that it will be long before the House of Commons regains its old position in popular esteem.

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Mr. Elliot shows that for more than a decade before the war the House of Commons was declining in authority and reputation, and one of several reasons for the interest that his book will have for students of political science all over the English-speaking world is the author's analysis of the causes of this decline. He was a member of the House of Commons in the eighties when its prestige still stood high—a fact which adds much to the value of his examination of the influences, factors and conditions which have contributed to its decline.

EDWARD PORRITT.

HARTFORD, CONNECTICUT.

Punishment and Reformation. By FREDERICK HOWARD WINES. Revised and enlarged by WINTHROP D. LANE. New York, Thomas Y. Crowell Company, 1919.—463 pp.

Three specific points are raised in the mind of the reviewer of Mr. Lane's revision of Dr. Wines' scholarly and valuable work which appeared originally in 1895 and again in a second edition in 1910. These are the method of revision, the inadequacy of the material omitted in the revision and the merit of the new material added.

As to the first, the reader who had never seen the original or the 1910 edition would assume that Mr. Lane's revision began with the indicated break on page 249. In fact, however, twenty solid pages of the original edition are omitted at the end of the second paragraph on page 240 and two pages at the end of the first paragraph on page 247—and this without any indication of the omission. Such an editorial method creates a real prejudice, because it unfairly represents the point of view of the author and misleads the reader.

Turning to the second point, we read in the preface which Mr. Lane has written that what he calls the "Procrustean method" has been followed, that whatever the signal advances made in criminology since 1910 have rendered unessential or out of date has been omitted from the original "in chunks," and the "Ossa of new material" piled upon the "Pelion of old." It is a question how far Mr. Lane's method of revision is applicable to such a work as that of Dr. Wines. To omit solid portions and chapters of this book is to deprive the reader to some extent of the mature wisdom and scholarly conclusions of a distinguished advocate of prison reform. That Dr. Wines reflected the most enlightened sentiment of his day, that he stood in the foreground of the prophets of a new era in prison management, is the testimony of all who knew him and his writings. Yet his analysis and

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interpretation have been unduly abbreviated in favor of more "up-to-date" material. The reviser's attempt to span the past and present mars the original work.

With regard to the third point, in the 214 pages of supplementary material which Mr. Lane has added to the text he presents a valuable perspective of the developments in prison reform during the last ten years. His summary of the epoch-making study of the English convict, which was published under that title as a British blue book in 1913, is especially informing and indicates clearly the indebtedness of modern criminology to this painstaking investigation, directed by Dr. Charles Goring of the Parkhurst prison, whose death less than a year ago removed a notable figure from the movement for prison reform. The two chapters on "The Study of the Individual Delinquent" and "Treatment" are quite the best of Mr. Lane's additions. They reveal clear and concise thinking on these two phases of modern criminology and should help to direct students and prison officials to the more scientific and detailed treatises on these subjects. The chapter entitled "Inmate Self-Government" is the least convincing. As a discussion of the subject it is inadequate both as a historical statement and as a picture of contemporary conditions. One cannot help feeling that the title *Punishment and Reformation* is somewhat inaccurate for Mr. Lane's additions. Between the old penology and the new there is a deep cleavage. The word "punishment" as a descriptive term is passing rapidly from penal terminology; and prevention will ultimately lessen the need for cure. As representative of the development of the last decade Mr. Lane's supplementary material might more properly appear under the title *Treatment and Prevention*.

SPENCER MILLER, JR.

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BOOK NOTES

In his article on "Bernard Bosanquet's Philosophy of the State," published in this QUARTERLY in December, 1919, Mr. Hoernlé attributed (page 619, note) to Mr. Ernest Barker the authorship of an article on "The Superstition of the State," which appeared in the Literary Supplement of the London *Times*, July 18, 1918. Mr. Hoernlé writes to the editors that, while his statement was made on what he had every reason to regard as trustworthy authority, he has since learned that Mr. Barker was not the author of the article cited, and that he desires "to undo the injustice to Mr. Barker involved in ascribing to him a view with which he does not sympathize."

To the making of periodicals as well as of books there is no end. Hence valuable material is so widely scattered that he who would read what is most important on any topic may have to run from shelf to shelf or library to library to satisfy his desire. Those who are averse to such exercise are duly appreciative of the relief afforded by the collections of readings which are occasionally compiled and bound in cloth. A welcome addition to this all too brief list is Professor Lionel D. Edie's *Current Social and Industrial Forces* (New York, Boni and Liveright, 1920; xv, 393 pp.). The selections are from books as well as magazines. They deal with the facts and interpretations of industrial and commercial activity and with proposed plans for altering the arrangements now showing signs of instability. Among the persons quoted we find the names of Hobson, Mitchell, Veblen, Weyl, Croly, Hamilton, Brandeis, Fisher, Hoxie, Wallas, Johnson and Adams. The excerpts avoid both the complacent and the hortatory. As Professor James Harvey Robinson says of the compiler's work in an introduction to the volume:

> His anthology forms a really imposing stock-taking of current speculation upon pressing economic problems. It does not attempt to prove anything or defend anything, except the necessity of considering the pass in which humanity finds itself with the hope that with new knowledge and fuller understanding our policies of reform may be more prompt and less bungling and expensive than they might otherwise be.

A person who is unfamiliar with the facts and analyses which this book presents has no license to advise us how to solve our present-day industrial problem or to prognosticate how its various issues are likely

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to be displaced by new ones. Though the same education may be gained elsewhere, it is offered here in most convenient form. Mr. Edie's choice and arrangement of material are excellent. His editing sometimes leaves something to be desired, but this is a minor matter.

A group of pamphlets has been published by the National Social Unit Organization describing the progress of what is called the Cincinnati Experiment. They consist of the reports made to its convention held in Cincinnati in October, 1919, by representatives of several of the more important national social agencies who were requested to evaluate this practical application of the theories of community organization. Constituting a complete and careful analysis by unbiased specialists of the most recent development in the field of social work, they afford an excellent source of information for students of social welfare problems and, together with the report of the national program for 1920 by Wilber C. Philips, Executive Head of the Cincinnati Experiment, furnish a complete description of the movement itself. Professor R. E. Chaddock, Secretary of the American Statistical Association, explains the value of the movement in improving community statistics and forwarding the development of the subject of demography. Dr. Charles Stelzle, Religious Editor of the Newspaper Enterprise Association, sets forth the aid given the Church in pointing the way toward worthy fields of social service and in stimulating the coordination of the interdenominational efforts in the locality. Mr. John Walker of the Illinois Federation of Labor and Mr. Mark M. Jones of the National Association of Employment Managers, speaking from opposite viewpoints on the industrial problem, agree as to the contribution which the Social Unit makes toward the solution of the many social problems which confront both workers and employers. Dr. Haven Emerson, former Commissioner of Health of New York City, representing the Public Health agencies, emphasizes strongly the service which the movement can render in that field. Miss Zoe LaForge of the Federal Children's Bureau stresses the importance of a definite plan for Public Health Nursing and the certainty, which the Unit provides through its discussion groups, that the workable plan for the specific community will be selected. Mr. John Collier, President of the National Community Center Association, Mr. John Lovejoy Elliott of the National Association of Neighborhood Workers and Dr. Edward T. Devine of the editorial staff of *The Survey*, show, respectively, the service of the social unit movement in forwarding the control of public budgets and programs, as a coordinating agency for the activities of neighborhood workers and as a means of promoting work in the general field of social service.

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A book to be taken seriously is Dr. Stephen Leacock's *The Unsolved Riddle of Social Justice* (New York, John Lane Company, 1920; 152 pp.). The author of *Nonsense Novels* might well have saved that title for his present recital of the economics which most of us were brought up on and many of us still prattle. If he had not already published *Behind the Beyond*, he might appropriately have called this that. For what he gives us is a pungent analysis of where we are and whither we are tending. Though his book is bound in red, the Socialist will approve only of his description of those ills we have. The chapter on "The Land of Dreams" warns us not to fly to others that we know not of. We should, however, discuss them. "Socialism, like every other impassioned human effort, will flourish best under martyrdom. It will languish and perish in the dry light of open discussion." Such sunlight is equally bad for the health of the dogma of individualism. "There is no great hope for universal betterment of society by the mere advance of technical industrial progress and by the unaided motive of every man for himself." The social advance already achieved has come through the "restriction of individualism by the force of organization and by legislation." The way of further amelioration is through the extension of social control. Dr. Leacock's diagnosis is not original, but it is put in original language. His prescriptions are not new, but they are written more intelligibly than those of most doctors. Here, as in his other writings, he gives proof of his power to puncture shams—which is a big part of what we call a sense of humor. Few shams are so in need of puncturing as those which Dr. Leacock here assaults. He does it so invitingly that we may dare to hope that his book will really be read by many who most need it.

Mr. Walter Lippmann's *Liberty and the News* (New York, Harcourt, Brace and Howe, 1920; vii, 104 pp.) is a reprint of two articles previously published in the *Atlantic Monthly*, prefaced by a brief essay entitled "Journalism and the Higher Law." It emphasizes the gravity of a problem which, in the words of the writer, "is of absolutely basic importance to the survival of popular government." The public opinion without which democracy must fail cannot exist if the stream of news is dammed or polluted, and it seems a sad paradox that a war waged avowedly to make the world safe for democracy, should result in a "blockade of public opinion," to use Mr. Lippmann's apt phrase. Viewing the present crisis of democracy as a crisis in journalism, he sees the principal evil not in corruption but in the fact that newspaper proprietors, regarding themselves as "defenders of the faith," subordinate veracity to edification and make of their own beliefs a higher

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law than the truth. Suppression of the news arouses no such concern among liberals as does suppression of public opinion, yet it is far more deadly to liberty, Mr. Lippmann thinks, because "there can be no liberty for a community which lacks the information by which to detect lies." Some suggestions for the reform of journalism are offered in a wisely tentative fashion, but they are of less value than the writer's discussion of the evils from which it now suffers. The reader of a pragmatic turn of mind may fear that Mr. Lippmann, in pleading for "disinterested reporting" (page 88), is aiming at an unattainable absolute, but he will be reassured when he learns (page 89) that the ideal reporter should "possess a steady sense that the chief purpose of 'news' is to enable mankind to live successfully toward the future." Evidently the "new journalism" will not be without bias, but the faith to be propagated will be that of Mr. Lippmann rather than that of Lord Northcliffe or Mr. Ochs.

City Manager in Dayton (New York, The Macmillan Company, 1919; xv, 271 pp.), written by Chester E. Rightor in collaboration with Don C. Sowers and Walter Matscheck, is a detailed record of four years of commission-manager government. The writers were formerly on the staff of the Dayton Bureau of Municipal Research, and, although closely connected with the Dayton government until 1917, their description is probably as disinterested as any that could be written; no one but the officials themselves could be better informed. The book is not an apology for the new government, though it approves it in the main. In many fields comparisons are made with the last few years of the preceding mayor-council plan, and in no instance can the conclusion be held unfavorable to the present government. Criticism is not, however, entirely absent, and in the chapter on "Public Opinion" the objections of opponents, especially the Socialist group, are frankly stated and discussed. Governments in the United States, however democratic, have with rare exceptions taken slight pains effectively to acquaint their citizens with the facts necessary to form a sound judgment on the performance of those governments. *City Manager in Dayton* is evidence that it is now possible for a citizen of Dayton to learn nearly all he wishes to know about his government. From the number of convictions following police arrests and the cost per cubic yard of removing rubbish to the number of dogs collected by the dog-catcher, the facts can now be ascertained, and newspaper reporters are invited to make use of the reports and statistics of every branch of city work. The numerous extensions of existing public services and the improvement in the methods of old

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ones are described in considerable detail. This study is interesting and valuable not only to the student of municipal government but to any citizen concerned with the problems of popular government. It is to be hoped that similar reliable reports will appear from other cities under city managers and especially from those under commission government. A few slight contradictions in the book should be noted. On page 31, for example, the statement is made that one evening meeting of the council each month was started in 1918, and on page 37, that one such meeting was held each week. On page 55, regarding the emergency employment of 1914–15, preference is said to have been given first to married men and then to Americans, while on page 109 the order is inverted.

In a brief essay, so concisely written as to cover much ground, *Bismarck und der Weltkrieg* (Zurich, Füssli, 1920; 32 pp.), Professor Eugen Ehrlich, well known as a writer on jurisprudence and sociology, maintains that the chief responsibility for the late war and for the disasters that have fallen on Germany itself rests on Bismarck. Bismarck's successors made mistakes that he would never have made, but it is his fault that the destinies of the German people were placed in the hands of a monarch and a militaristic aristocracy. The support that the war party received from the German people is largely ascribable to the corruption of the German mind by Bismarck's successful employment of force. "Not only the German politician, but also the German industrial magnate, the merchant, the commercial traveler, the professor, all became little Bismarckians" (page 31). Bismarck's conduct of affairs left Germany surrounded by enemies. The very existence of the empire he had built depended on the uncertain outcome of the next European war. He was, in Ehrlich's opinion, a supreme master of diplomatic technique, but he was not a great statesman, like Gladstone, who introduced into statecraft, so far as he could, moral principles. Defensible as are Ehrlich's main theses, he is wrong in speaking of Bismarck's "contemptuous" attitude toward the imponderables (page 9). In the famous sentence in which Bismarck spoke of the imponderables, he said that they "weigh much heavier than material weights." Ideals that he did not himself accept and sentiments that he did not share were factors to be taken into account. He thoroughly appreciated Machiavelli's famous dictum, that the prince must always appear to be good. In defending the English against the charge of hypocrisy, Ehrlich says that, even if the charge were true, "hypocrisy is in any case preferable to naked brutality. It forces on the hypocrite many restraints which the man of violence (*Gewalt-*

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mensch) does not recognize" (page 26). This distinction seems to take Bismarck out of the class in which Ehrlich puts him—that of the nakedly violent. If we hesitate to put him in the class of hypocrites, it is because he did not pretend to share all the sentiments which he found it advisable to respect. He sought to create the illusion of righteousness by a scrupulous observance of the forms of correct international conduct. In 1914 the German government refused to subject its action to even this degree of restraint.

It was perhaps inevitable that sooner or later the foremost exponent of the paradox and champion of the orthodox among contemporary English men of letters should write a book on the land which is at once the habitat of the "Irish bull" and the stronghold of priestly dominion. But what immediately induced G. K. Chesterton to record his *Irish Impressions* (New York, John Lane Company, 1920; 222 pp.) was a visit to Ireland during the dark days of the war, early in 1918, in behalf of Irish recruiting. A notice of this book may seem scarcely appropriate in a journal of political science, since Chesterton considers science of any kind unfortunate and would doubtless pronounce political science wholly indefensible. Yet despite his self-imposed obligation to be incessantly clever, the book is fundamentally serious, and even the well-informed student of the Irish question will gain something from an hour or two spent in its perusal. Chesterton is not commonly thought of as an "economic interpreter," but he goes to the heart of the matter when he says that the basic argument against the Union is that merchants cannot rule peasants. Recruiting in Ireland failed, he believes, because the English committed unpardonable blunders in their efforts to promote it, and appeared to the Irish in the light of Prussians. When he wrote, he thought that there was still a chance to settle the great quarrel on the basis of compromise, since the rebel who fights is also a peasant who bargains.

It is surprising that one of the most timely and informing books on the Irish question in its most modern aspect comes from a citizen of France. This is *L'Irlande Ennemie?* (Paris, Payot et Cie, 1918; 271 pp.) by R. C. Escouflaire, who has previously written on Ireland. Formerly M. Escouflaire had considerable sympathy for Irish complaints of oppression, but Sir Horace Plunkett's *Ireland in the New Century* led him to make a thorough study of the Irish question from first-hand sources. The purpose of his book is to enlighten his countrymen on a subject on which he found them deceived as he had been. As an English translation has been published both in London and New York his commendable work should be widely read in both English-

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speaking countries. The thesis which the author supports throughout by strong and convincing evidence is well stated in these words from the preface, as they appear in the English translation: "The Irish Question is an international imposture. Ireland, in order to justify her rebellion and treason, makes out that she is oppressed. Nowadays the oppression of Ireland by England is a myth, and a very feeble one at that. Ireland possesses the power of playing upon our emotions as she chooses, but the accusations which she makes are so startling, and so contrary to all we know of English rule in her other dependencies, that we must be careful to verify her statements."

M. Émile Hovelaque, who was attached to the French Mission to this country in 1919, has given us in his brochure called *Les États-Unis et la Guerre* (Paris, Librairie Félix Alcan, 1919; 467 pp.) a very penetrating and sympathetic study of the slow change of American opinion from neutrality to enthusiastic crusading zeal for the cause of the Allies. The author studies the utterances of the American press in the early years of the war and devotes careful consideration to the numerous American authors of war books: Frederick Palmer, Owen Johnson, Owen Wister, Robert Herrick, J. J. Chapman, James Beck and others. Unlike many of our European critics, he is very patient in his judgment of the delay of the United States in entering the war, and his mind "goes along with" President Wilson's on every point of the negotiations. The book is delightfully written and shows a marvelous knowledge of the intellectual and moral forces at work in our country in the troubled years of 1914–1917.

Miss Jean Victor Bates does not pretend to give us a history of the Near East in *Our Allies and Enemies in the Near East* (New York, E. P. Dutton and Company, 1918; viii, 226 pp.). She presents, however, a lively picture of the peoples whose history has been and still is a jumble of racial, religious and political animosities, at a time when every bit of information about them is important and timely. Miss Bates has lived for many years in the Balkans and has made the most of her opportunities, as the varied details of her wide observation clearly show. Her style is pleasantly racy, her story at all times interesting, even when it occasionally borders on the sentimental. Sir Edward Carson has written an introduction to the book which enhances its value, but still it is a severe strain on one's purse to pay five dollars for even so good a book as this.

Now that we may begin to say *Festschrift* once more, we are glad to note the tribute paid to John H. Wigmore of Northwestern University by the thirty-one contributors to the *Wigmore Celebration Legal*

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Essays (Chicago, Northwestern University Press, 1919; xi, 602 pp.). There are papers from England, Scotland, France, Holland, Italy, China, Australia and Egypt. Among American contributors we find scholars ranging from Roscoe Pound to John M. Zane. Only seven of the authors confine themselves to technical problems of the common law. The others discuss public law, legal history, analytical jurisprudence, comparative law and the theory and philosophy of law. Most of the articles, though written especially for this celebration volume, have already appeared in the *Illinois Law Review*, the editors of which could not refrain from consuming the manna providentially showered upon Chicago during the intellectual famine fostered by the war. Of necessity the papers are of uneven merit, but the collection as a whole does honor to the twenty-five years of service of the distinguished professor of law at Northwestern University. Dean Wigmore ranks with Dean Pound and Mr. Justice Holmes at the head of American legal scholarship of the present day. Unlike his colleagues he has produced a *magnum opus* which is one of the wonders of legal scholarship. Like them, he sees law as a means of social control continually readjusting itself to "the felt necessities of the time," rather than a revelation of arid doctrine to be juggled with after the fashion of scholasticism. These three leaders of present-day legal thought are anathema to those who insist upon looking at law as unchanging gospel. But unlike most of their critics they are able to reinforce their analysis by a profound knowledge of legal history from Rome to North Dakota. The long look back accompanies their view of the present and their gaze at the future. Now that Colonel Wigmore has been discharged and Professor Wigmore is himself again, we may look forward to further fruits of that exhaustive research and masterly analysis and presentation to which we are already indebted for the monumental *Treatise on Evidence* and a host of fugitive articles.

Chief Justice Marshall's decisions in Fletcher *v.* Peck and the Dartmouth College Case suffer from so much adverse criticism that even their worst enemies should not begrudge them the sympathetic understanding which they receive in Dr. Warren B. Hunting's *The Obligation of Contracts Clause of the United States Constitution* (Baltimore, The Johns Hopkins Press, 1919; x, 122 pp.). For a test of the technical merits of the decisions the author goes to the common and the civil law and the philosophical assumptions prevailing at the time. The greater part of his study is devoted to these backgrounds. He makes a persuasive argument that both decisions were fully warranted by contemporary lawyer's law and juristic philosophy. His research is

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extensive and his reasoning solid. He appreciates that the issues were novel and that the precedents were not conclusive; but he shows successfully that the Supreme Court's conclusions need not be thought of solely as a political *tour de force*. The five chapters published are part of a projected study which was to cover all the major topics under the obligation of contracts clause. Before the work was finished, Dr. Hunting was killed in France while serving with the American army. What he has left us shows a scholarly thoroughness and a philosophic insight which marked him as a man of unusual promise.

Any one who must face bankruptcy can do so most agreeably in Dr. F. Regis Noel's *A History of the Bankruptcy Law* (Washington, Charles H. Potter and Company, 1919; 209 pp.). More than half of the book is given to bankruptcy legislation in foreign countries and in the colonies and states prior to the Constitution, the work of the federal convention and the later judicial interpretations of the power over bankruptcy vested in Congress. The rest is a description of the congressional acts of 1800, 1841, 1867, 1898 and later amendments. Dr. Noel is content with no mechanical analysis and arrangement. He appreciates to the full the significance of the social and economic setting of the legislation which he studies. For him the enactment of a statute is neither the beginning nor the end. His book may be taken as a model for further studies in the history of legislation. It is to be regretted that he considered the constitutional issues presented by state bankruptcy laws as outside the main subject of his inquiry, for wherever he touches constitutional questions he deals with them so satisfactorily that we naturally ask for more.

An important addition to our information in regard to foreign-born wage earners in the United States is *Italian Women in Industry: A Study of Conditions in New York City* (New York, Russell Sage Foundation, 1919; v, 345 pp.) by Miss Louise C. Odencrantz. Successive chapters describe the situation of the 1095 Italian women wage earners studied, their occupations, work places, hours of work, irregular employment, low pay *etc.*, and a final chapter discusses needed "readjustments". All of the familiar evils connected with the work, wages and living conditions of foreign-born women in New York City are set forth with statistical exactness, and the need of a constructive social program to grapple with these evils is brought out with convincing force. A special merit of the study results from the fact that, while the data on which it is based were collected before the war, its completion was delayed until the effects of the virtual suspension of immigration caused by the war could be noted.

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This enables the author to assert with some confidence that the situation of the Italian women she describes "presents an indictment . . . not of their personal standards but rather of the social and industrial conditions that are permitted to exist." As the war improved these conditions their standards rose. It is for organized society to take steps to make such improvement progressive and continuous.

M. C. Colson's well known *Cours d'Économie Politique,* which comprises the lectures that he has been giving for many years at *L'École des Ponts et Chaussées,* is now appearing in a definitive edition in the *Encyclopedie et Travaux publiques* under the editorship of M. C. Lechelas. M. Colson's lectures were first published in three volumes in 1901-03 and 1905. In the second edition, published in 1909-10, the work was expanded to six volumes, and in the present edition that general arrangement is retained, although the material is considerably increased. The first volume of this final edition dealing with general theory was published in 1916, the second, treating of the labor question, in 1917 and the third, covering property in capital, natural agents, and immaterial goods, in 1918 (Paris, *Librairie Gauthier-Villars et Cie*). The remaining three volumes are not yet ready. The fourth volume is to deal with commerce and industry, the fifth with public finance and the sixth with public works and transportation. In view of the uncertainty of the completion of these three volumes a supplement has now appeared, containing the important tables of these three volumes brought down to date. When finished, this will be the most monumental general work on economics that has yet appeared in French.

Volume XXVII of the Hart, Schaffner and Marx prize essays is a volume entitled *The Results of Municipal Electric Lighting in Massachusetts* (Boston, Houghton Mifflin Company, 1918; xx, 484 pp.) by Edmond Earle Lincoln, Ph.D., Instructor in Harvard. The book is well up to the level of the Hart, Schaffner and Marx prize essays and gives a careful statistical survey of the topic. The conclusion of Dr. Lincoln, while temperate, is distinctly opposed to the policy of municipal electric lighting, especially in the case of municipal generating plants. He is careful to add some good suggestions as to possibilities of improvement in administration and in fiscal management of all such municipal enterprises.

Wide research obviously preceded the preparation of Mr. George O'Brien's *Economic History of Ireland in the Eighteenth Century* (Dublin and London, Maunsel and Company, 1918; viii, 437 pp.).

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The author has drawn less extensively on the journals of the British House of Commons and the Irish House of Commons than might be expected, but otherwise his research is so wide and thorough that it is difficult to name any collections of Irish historical sources for the eighteenth century of which he has not made use. The division of the book into five parts—dealing respectively with the people, the land, trade and industry, public finance and political influences—is excellent, and the component chapters are well arranged and well written. The title is perhaps a little inadequate, since some of the chapters in Parts I and II form in themselves valuable contributions to the social as well as the economic history of Ireland in the eighteenth century. The author's political bias and anti-English sentiment are most manifest in the chapter on the Union of Ireland and Great Britain. Here Mr. O'Brien says that the economic consequences of the Union were not considered in detail by the statesmen responsible for it. "But," he continues, "no doubt the great material progress which the country had made under Grattan's parliament hastened the Union, as English jealousy had always been directed to keeping Ireland poor lest she might grow strong and therefore dangerous." And in the introductory chapter he writes: "There is no doubt that had not Ireland's independence been extinguished she would have developed into a rich and powerful nation. But such things were not to be. England, jealous of Ireland's new found prosperity, determined once more to assume the control of Irish affairs. The act of Union may or may not have been, from the English standpoint, a wise measure politically; but it certainly was, from an Irish standpoint, a ruinous one economically." Agreement with statements like these is not essential to an appreciation of the value of Mr. O'Brien's book.

The Household of a Tudor Nobleman (Urbana, University of Illinois Studies in the Social Sciences, Volume VI, No. 4, 1918; 278 pp.) by P. V. B. Jones is a serious attempt to study the social life of England at that most interesting of periods when "Merrie England" had ceased to be medieval without quite becoming modern. Dr. Jones tries with no little success to show how a few of the greater English nobles lived and in so doing sheds much light upon the daily life and social customs of the higher ranks of society. He gives evidence of a highly systematized organization in the establishments of these noblemen, where even charity was not left to chance. The proof of the enormous wealth of some of the peers at that early date is illuminating and instructive. For the general reader the book will prove to be too heavily equipped with long and sometimes tedious extracts in sixteenth-

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century English, but for the student of Tudor England it should prove helpful and stimulating.

Captain C. W. J. Orr's *Cyprus Under British Rule* (London, Robert Scott, 1918; 192 pp.) is a serviceable addition to the literature of British imperial history. In recent years there has been no lack of books on the constitutions and political organizations of the self-governing colonies, especially of the Dominion of Canada and the Commonwealth of Australia. But there is a lack of monographs dealing with the administration of the crown colonies, which from the standpoint of political science, are nearly as interesting as the Dominions. Captain Orr's book is an exposition of crown colony government. Cyprus passed into British occupation in 1878 by virtue of a convention of defensive alliance between Great Britain and Turkey, and from that time until the beginning of the World War it was administered in accordance with the terms and conditions of this treaty. It did not become an actual possession of Great Britain until Turkey threw in her lot with the German Empire. War between Great Britain and Turkey annulled the convention of 1878, and by a royal proclamation of November 5, 1914, Cyprus was added to the British Empire. Captain Orr's book is an excellent history of the British occupation from 1878 to 1914. It includes a well planned and interesting exposition of the political and financial administration of the island during this period. The author contends that Great Britain has fulfilled the expectations raised in 1878 when she relieved Turkey of the administration of Cyprus, that by reducing and simplifying the system of taxation and by introducing a just and impartial administration of law, she has greatly ameliorated the lot of the peasantry and of the people generally and made material progress possible. Familiarity with the island and its history would be necessary to measure the extent to which Captain Orr's claims are justified. But the story he presents is in general the story of British crown colony rule in the last sixty or seventy years.

An aspect of Abraham Lincoln's life that seemed much more important to biographers of a generation ago than to those of today is treated in William E. Barton's *The Soul of Abraham Lincoln* (New York, George H. Doran Company, 1920; xiv, 407 pp.). Mr. Barton, who is a clergyman, and who has worked for many years in the very Kentucky environment in which Lincoln's earliest youth was spent, endeavors to interpret the evolution of the spiritual life of the great president from boyhood to the tragic closing of his career, in the light of the influences received from a frontier community. This study of

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"background," which occupies the first division of the book, is by far the most interesting part. The outstanding fact is the habit of inhibition which Lincoln acquired touching all matters concerning religion, and which has given his biographers so wide a range of conjecture in interpreting his religious views. The long analysis of these interpretations, with minute consideration of every sentence and phrase, grows rather tiresome in the second division of Mr. Barton's book. It seems too much like threshing old straw. One gets the impression that the author is much more concerned about Lincoln's religion than Lincoln himself was, and certainly much more than most of the admirers and students of Lincoln are today. The upshot of Mr. Barton's exhaustive work of piety is that Lincoln, though never brought to connect himself with any organized institution of religion, was nevertheless an essentially religious man, with a firm trust in an overruling Providence and an intimate acquaintance with the Bible. In a hundred pages of appendices Mr. Barton has published some very interesting documents bearing on his subject, including the analysis of a rare book (*The Christian's Defence*) which, he believes, influenced Lincoln deeply, and a hitherto unpublished address of Lincoln's on the subject of "Christianity and Patriotism."

In *The French Revolution: A Study in Democracy* (New York, E. P. Dutton and Company, 1920; xv, 319 pp.) by Nesta H. Webster the reader will find the most novel and astonishing interpretation of the great event of the eighteenth century that has appeared since Kropatkin's work. Mrs. Webster brings an immense amount of contemporary material to bear in support of her theory that the Revolution was nothing more than a plot of the Orleanists to supplant the best and mildest of kings by a double-dyed rascal. The plot was supported by Frederick of Prussia, who was anxious to dissolve the alliance between France and Austria (and who succeeded in doing so in the spring of 1792), and also by the faction of the Prince of Wales in England, who wanted to remove George III as the Orleanists wanted to remove Louis XVI. The Orleanist leaders, by appealing to the dregs of Paris, conjured up a spirit which they could not allay. The Revolution got out of hand, and the orgy of blood and anarchy known as the Terror resulted. Mrs. Webster out-Burkes Burke in her scorn for the demagogues who debauched the innocent people, in her admiration for the king and the nobles of the old regime, and in her devotion to the memory of Marie Antoinette. One would think that the frivolous French Queen were the epitome of all wifely and womanly virtue. Mrs. Webster calls her work "a study in democracy," but her inter-

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pretation of "democracy" is a strange one. The leaders of the people, like Mirabeau, Danton, Murat, Robespierre, are all unspeakable demagogues; the participants in the revolutionary program, from the members on the benches of the Assemblies to the "armies" led by Westermann and Santerre, are all dupes; and the rest of the people are cowed into timorous quiet. The king and his ministers seem to be the only "democrats" left in France after the nobles have emigrated.

From one point of view the twenty years of American history from 1877 to 1896 might be designated "the era of agrarian discontent." However, one would hardly suspect it from reading Dr. James Ford Rhodes' *History of the United States from Hayes to McKinley* (New York, The Macmillan Company, 1919; xiii, 484 pp.). The title is somewhat misleading, for the volume contains no account of the campaign of 1896, and the reader is left with a feeling that the final chapter was accidentally omitted. The book has no unifying theme. It is composed of several loosely joined articles, some of which have already appeared in periodicals. In each of these some political or social episode is narrated in the author's usual interesting style. Dr. Rhodes displays a pardonable partiality for those public men who forwarded the cause of civil service reform and political righteousness. Otherwise, as between Democrats and Republicans generally, he is strictly impartial. But orthodox party politics from 1877 to 1895 were dull and inconsequential. On the other hand, social and economic forces were interesting and important. Of these forces the author displays no sympathetic comprehension. Therefore, his book, while useful and scholarly, is in no sense definitive.

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